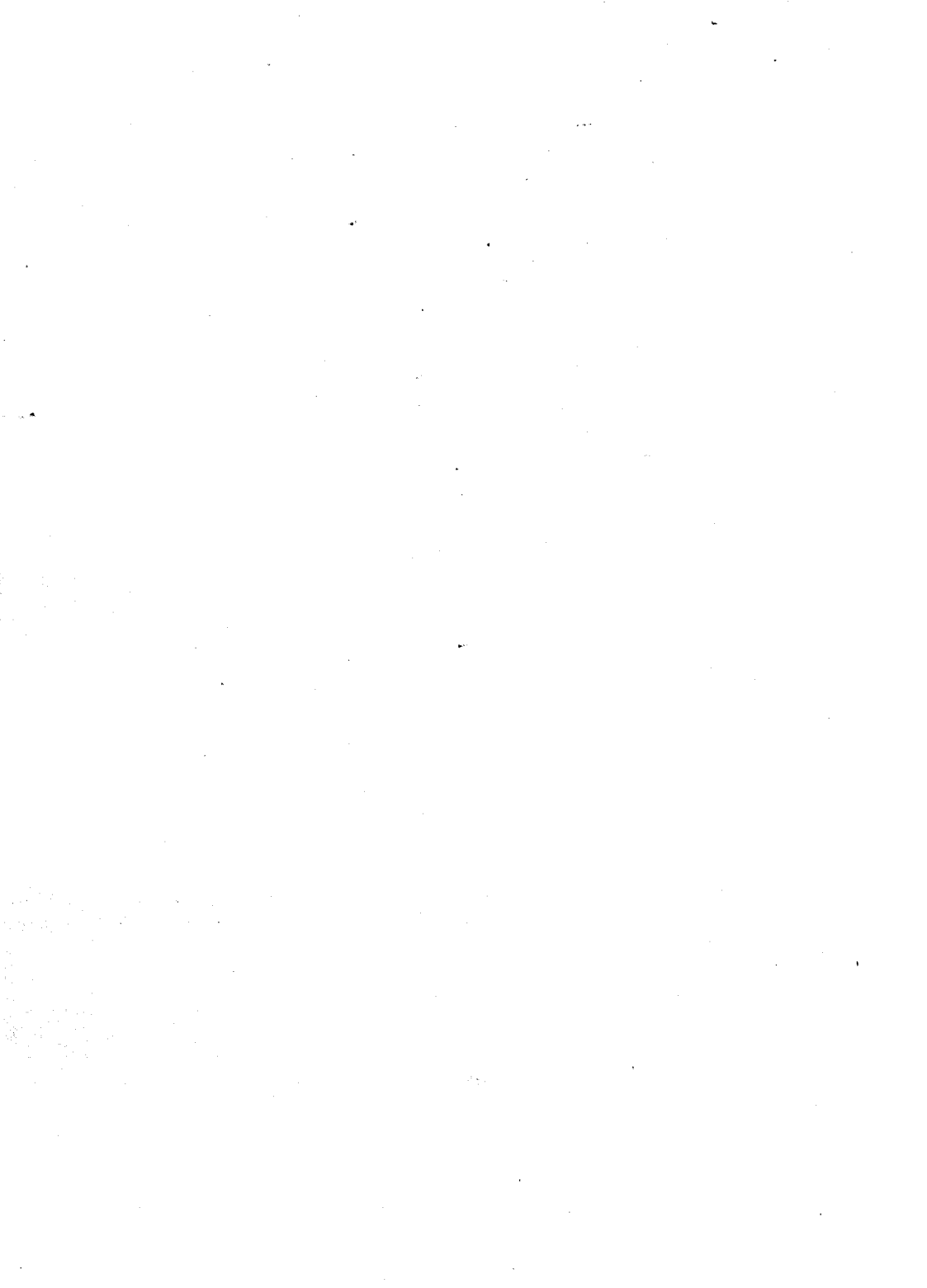


LAWS
OF THE
TERRITORY OF HAWAII
PASSED BY THE
LEGISLATURE
AT ITS
REGULAR SESSION
1915

PUBLISHED BY AUTHORITY

HONOLULU:
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LAWS

OF THE

TERRITORY OF HAWAII

ACT 1 X

AN ACT

TO APPROPRIATE MONEY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE REGULAR SESSION OF THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII OF THE YEAR 1915 FROM THE PUBLIC TREASURY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There shall be and hereby is appropriated the sum of twenty-six thousand dollars (\$26,000.00) from the public treasury for the purpose of defraying the expenses of the Regular Session of the House of Representatives of the Legislature of the Territory of Hawaii of the year 1915.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of February, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 2. Execution of Bonds.

Act 3. Defraying Expenses Senate.

ACT 2

AN ACT

IN RELATION TO THE SIGNING AND EXECUTION OF BONDS OF
THE TERRITORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. When pursuant to statutory authority duly enacted, bonds of the Territory of Hawaii have been or shall hereafter be prepared and signed by the Treasurer of the Territory and by the Registrar of Public Accounts in office at the time of such signing, the signatures of such Treasurer and Registrar shall be valid and sufficient for all purposes and shall have the same effect as if the persons so officially signing such bonds had remained in office until the delivery of the same to the purchasers although the term of office of such persons or either of them may have expired or they may otherwise have ceased to be such officers before such delivery.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of February, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 3

AN ACT

TO APPROPRIATE MONEY FOR THE PURPOSE OF DEFRAYING THE
EXPENSES OF THE REGULAR SESSION OF THE SENATE OF

Act 3. Defraying Expenses Senate.

Act 4. Entertainment of Congressmen.

THE LEGISLATURE OF THE TERRITORY OF HAWAII FOR
THE YEAR 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There shall be and hereby is appropriated the sum of Twenty-Three Thousand Dollars (\$23,000.00) from the Public Treasury for the purpose of defraying the expenses of the Regular Session of the Senate of the Legislature of the Territory of Hawaii of the year 1915.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of February, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 4*

AN ACT

TO PROVIDE FOR ENTERTAINMENT AND EXPENSES OF SUCH SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES AND OTHER DISTINGUISHED PERSONS AS MAY VISIT THE TERRITORY OF HAWAII PRIOR TO JUNE 30, 1917, AND REPEALING ACT 81 OF THE SESSION LAWS OF 1913.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of thirty thousand dollars (\$30,000.00) is hereby appropriated to be paid out of any moneys in the treasury of the Territory received from the general revenues of the Territory for entertainment and expenses of such Senators

Act 4. Entertainment of Congressmen.

Act 5. Homestead Road, Hanalei.

and Members of the House of Representatives of the United States and other distinguished persons as may visit the Territory of Hawaii prior to June 30, 1917.

SECTION 2. The money hereby appropriated shall be under the control of and expended by the Secretary of Hawaii, with the approval of the Governor of Hawaii.

SECTION 3. That Act 81 of the Session Laws of 1913, being "An Act to Provide for Entertainment and Expenses of such Senators and Members of the House of Representatives of the United States as may visit the Territory of Hawaii prior to June 30, 1915," approved April 15, 1913, be and the same is hereby repealed.

SECTION 4. This Act shall take effect and be in force from and after its approval.

Approved this 25th day of February, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 5 x

AN ACT

MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A
HOMESTEAD ROAD IN THE DISTRICT OF HANALEI, COUNTY
OF KAUAI, OUT OF THE PROCEEDS OF THE SALES OF HOME-
STEADS IN THE SAID DISTRICT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the sum of nine hundred dollars (\$900.00) is hereby appropriated out of the proceeds of the sales of home-

Act 5. Homestead Road, Hanalei.

Act 6. Land for Territorial Market.

steads in the District of Hanalei, County of Kauai, for the construction of homestead roads in the said district.

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 6 ★

AN ACT

DECLARING AND DESIGNATING A CERTAIN TRACT OF GOVERNMENT LAND ON MAUNAKEA STREET, HONOLULU, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, AS A SITE FOR THE TERRITORIAL MARKETING DIVISION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The tract of land hereinafter described is hereby declared and designated to be set aside as a site for the exclusive use of the Territorial Marketing Division:

All that certain tract of government land on Maunakea Street, Honolulu, City and County of Honolulu, Territory of Hawaii, bounded by Maunakea Street on the West side, by government land set aside by Executive Order No. 27, December 15, 1914, and lands belonging to the John R. Gilliland Estate on the North side, by Smith Street on the East side, and by government land under General Lease No. 557 to C. Brewer & Company, Limited, on the South side, containing an area of approximately 8,738 square feet.

Act 6. Land for Territorial Market.

Act 7. Enacting Revised Laws 1915.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

See 25 Ha. 670 ACT 7 ✓

AN ACT

TO ENACT THE REVISED LAWS OF HAWAII ~~of~~ 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Sections one to four thousand two hundred and twenty-five, both inclusive, set forth on pages ninety-one to one thousand four hundred and eighty-two, both inclusive, of the volume prepared by the commission appointed under the provisions of Act eleven of the Session Laws of the year one thousand nine hundred and thirteen, are hereby enacted as law, to take effect on the approval of this Act, and the same shall be designated and cited as the Revised Laws of Hawaii 1915.

SECTION 2. All statutes in force immediately prior to the approval of this Act, which are embraced, with or without change, in the said Revised Laws 1915, are hereby repealed, and so much of the said Revised Laws 1915 as is applicable or corresponds thereto shall be in force in lieu thereof; provided, however, that said repeal shall not apply to or affect any provision which is not subject to repeal, or the part or parts of the said Revised Laws 1915 applicable or corresponding to which could not be enacted by the Legislature without the approval of Congress, or any provision of a temporary nature, the func-

Act 7. Enacting Revised Laws 1915.

tions of which have been fulfilled, or any statute or part thereof, of which no part is embraced in the said Revised Laws 1915.

SECTION 3. Said repeal shall not affect any act done, ratified or confirmed, or any right accruing or accrued or established, or any action, suit or proceeding had or commenced in any civil cause, prior to said repeal, but all rights and liabilities under any statute in the said Revised Laws 1915 or so repealed shall continue, and may be enforced in the same manner and with the same effect as if said repeal had not been made; nor shall said repeal in any manner affect the right to any office or change the term of tenure thereof.

SECTION 4. Said repeal shall not affect any offense committed or any punishment, penalty or forfeiture incurred, prior to said repeal, under any statute embraced in the said Revised Laws 1915 or so repealed, but every such offense may be prosecuted and punished, and every punishment, penalty or forfeiture imposed and enforced, in the same manner and with the same effect as if said repeal had not been made.

SECTION 5. No statute of limitations, whether applicable to civil causes or proceedings, or to the prosecutions of offenses, or for the recovery of penalties or forfeitures, embraced in the said Revised Laws 1915, or so repealed, shall be affected thereby, but all suits, proceedings and prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to said repeal may be commenced and prosecuted with the same effect as if said repeal had not been made.

SECTION 6. Provisions in the said Revised Laws 1915 shall be construed as continuations or amendments of applicable or corresponding provisions of previously existing laws and not as new enactments; and references in statutes not repealed to provisions which are embraced, with or without change, in the said Revised Laws 1915, shall be construed as applying to such provisions in the said Revised Laws 1915.

Act 7. Enacting Revised Laws 1915.

Act 8. Use of School Funds.

SECTION 7. The enactment of the said Revised Laws 1915 shall not affect or repeal any Act passed at this session of the Legislature prior to the date of the approval of this Act, but all Acts so passed shall have full effect as if passed after said date, and, so far as such Acts vary from or conflict with any provision contained in the said Revised Laws 1915, they shall have the effect of subsequent Acts, and as repealing any portions of the said Revised Laws 1915, inconsistent therewith.

Approved this 9th day of March, A. D. 1915.

LUCIUS E. PINKHAM,

Governor of the Territory of Hawaii.

ACT 8

AN ACT ✓✓

TO AMEND SECTION 302 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO THE USE OF SCHOOL FUNDS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 302 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

“Section 302. Use of funds. The treasurer of the Territory shall pay over to the treasurers of the several counties and the City and County of Honolulu, as the case may be, the amounts received by him from time to time for all of the items of the ‘Special Fund’ of said school budget, as provided by law. Such amounts shall be set aside and held as special funds by the treasurers of said counties and city and county and used exclusively for the respective purposes specified in said ‘Special Fund,’ as approved by the Legislature from time to time; provided, however, that all balances unexpended, or not contracted

Act 8. Use of School Funds.

Act 9. Pay of Laborers.

for during any appropriation period, shall be and remain in the treasuries of the counties or city and county, subject to re-appropriation by the Board of Supervisors, with the approval of the Superintendent of Public Instruction, for any of the purposes specified in the 'Special Fund' as fixed by the Legislature for the same or the succeeding biennial period. All new buildings erected by said counties and city and county with moneys covered by said 'Special Fund' shall be subject to the approval of the Department of Public Instruction as to size, arrangement, dimensions, lighting of rooms and sanitary conveniences. The amounts of all items under the 'General Fund' of the school budget shall be expended under the direction of the Department of Public Instruction."

SECTION 2. This Act shall take effect upon its approval.

Approved this 12th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 9

AN ACT

✓ *1914* *1915* *355*
Pub. Act

TO AMEND SECTION 164 OF THE REVISED LAWS OF HAWAII OF 1915, DESIGNATING THE PAY OF LABORERS ENGAGED IN CONSTRUCTING OR REPAIRING ROADS, BRIDGES OR STREETS, WATER WORKS OR OTHER WORKS FOR THE TERRITORY OF HAWAII, OR FOR ANY POLITICAL SUBDIVISION THEREOF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 164 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

Act 9. Pay of Laborers.

Act 10. Judgment Debtors.

“Section 164. Wage of laborers on public works. The daily pay for each working day of each laborer engaged in constructing or repairing roads, bridges or streets, water works or other works, either by contract or otherwise, for the Territory of Hawaii, or for any political subdivision thereof, shall not be less than One Dollar and Fifty Cents.”

SECTION 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3. This Act shall take effect from and after the first day of July, A. D. 1915.

Approved this 17th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 10

AN ACT

TO AMEND SECTION 2807 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO EXAMINATIONS OF JUDGMENT
DEBTORS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2807 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 2807. It shall be lawful for any creditor who has obtained a judgment in any court, to apply to the court or a judge thereof for a rule, order or summons, that the judgment debtor shall be orally examined before a judge of such court, or such other person as such court or judge, if of a court of record, shall appoint, as to any and what property he owns or has an

Act 10. Judgment Debtors.

Act 11. Property of Decedents.

interest in and what debts are owing to him, and the court or judge may make such rule or order for the examination of such judgment debtor and for the production of any books or documents, and the examination shall be conducted in the same manner as in the case of an oral examination of witnesses under the law in that case made and provided."

SECTION 2. This Act shall take effect from and after its approval.

Approved this 17th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 11

AN ACT

REQUIRING BANKING HOUSES, FIDUCIARY COMPANIES, AGENTS AND TRUSTEES TO DISCLOSE, UNDER CERTAIN CONDITIONS, THE NATURE AND KIND OF PROPERTY HELD FOR DECEASED PERSONS TO PERSONS CLAIMING TO BE HEIRS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Every banking house, fiduciary company, agent or trustee, as soon as practicable after the receipt of a written statement, verified by the oath of the person making the same, showing the death of a person for whom such fiduciary holds property, and showing that the person making such statement is a kinsman of such deceased, together with the relationship which existed, and also showing that such person claims to be an heir of such deceased, shall disclose to the person making such statement the nature and kind of property so held.

SECTION 2. Any fiduciary company, agent or trustee, refusing to so disclose the nature and kind of property so held, shall

Act 11. Property of Decedents.

Act 12. Reimbursing H. Kishi.

be guilty of a misdemeanor and punishable by fine not exceeding Five Hundred Dollars (\$500.00).

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 17th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 12

AN ACT

TO REIMBURSE H. KISHI FOR MEALS FURNISHED DETAINED ALIENS AT THE UNITED STATES QUARANTINE STATION AT HONOLULU, FROM DECEMBER 29, 1911, TO JANUARY 31, 1912, INCLUSIVE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the sum of Nine Thousand Four Hundred and Fifteen and 90/100 Dollars (\$9,415.90) is hereby appropriated to be paid to H. Kishi out of all moneys in the Treasury collected or to be collected and held under the provisions of Section 1321 of the Revised Laws of Hawaii, 1915, from the fund appropriated for the use of the Board of Immigration, for the purpose of reimbursing the said H. Kishi for meals furnished detained aliens at the United States Quarantine Station at Honolulu, from December 29, 1911, to January 31, 1912, both inclusive, theretofore brought to the Territory of Hawaii by the Board of Immigration, Labor and Statistics of the said Territory.

Act 12. Reimbursing H. Kishi.

Act 13. Recording of Ordinances.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 17th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 13

AN ACT

TO REPEAL SECTION 1652 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE RECORDING OF ORDINANCES OF
THE CITY AND COUNTY OF HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1652 of the Revised Laws of Hawaii, 1915, relating to the recording of ordinances of the City and County of Honolulu, is hereby repealed.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 17th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 14. Operation of Air Craft.

ACT 14

AN ACT

ABT. AC. 107 107 152
 REP. ACT. 109 S. L. 1923

TO PROHIBIT THE OPERATION OF AEROPLANE, BALLOON AND OTHER AIR CRAFT IN THE TERRITORY OF HAWAII WITH CERTAIN RESTRICTIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. No person shall, without a license from the Governor, operate an aeroplane, balloon, or other air craft in or across the Territory of Hawaii, except a member of the Aviation Corps of the United States Army, United States Navy, or National Guard of Hawaii, or a person employed in the United States Military or Naval Service as a pilot.

SECTION 2. Any person who shall violate any of the provisions of this Act shall, upon conviction, be punished by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 22nd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
 Governor of the Territory of Hawaii.

Act 15. Maintenance "Kalaupapa Store."

ACT 15

AN ACT

TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF "KALAUPAPA STORE."

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. To enable the Board of Health to operate and maintain the "Kalaupapa Store," situated at Kalaupapa, Molo-kai, the sum of Ten Thousand Dollars (\$10,000.00) is hereby appropriated as a special fund to be deposited in the Territorial Treasury and to be a continual deposit, subject to the control of the Board of Health through its President, to be used from time to time in operating and maintaining the said "Kalaupapa Store." All moneys withdrawn from such fund for such purposes shall be reimbursed or restored thereto, so far as may be, out of any moneys received or collected from the sales made in said "Kalaupapa Store" and shall then be available for further use.

SECTION 2. This Act shall take effect April 1st, 1915.

Approved this 22nd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 16. Taxation of Costs.

ACT 16

AN ACT

TO ENTITLE THE DEFENDANT TO HAVE HIS TRAVELING EXPENSES TAXED AS COSTS WHENEVER ANY CAUSE OR PROCEEDING OTHER THAN CRIMINAL, PROBATE AND DIVORCE IS DISCONTINUED, DISMISSED OR NON-SUITED.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Whenever any cause or proceeding, other than criminal, probate or divorce, is discontinued or dismissed, or a non-suit entered therein, in any of the courts of this Territory, the defendant therein shall be entitled to have his traveling expenses, to be charged at the rate of ten cents a mile each way in going to and returning from the court, taxed as costs.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 22nd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 17. Trespass on Railroads.

Act 18. License to Sell Pork.

ACT 17

AN ACT

TO REPEAL SECTION 4119 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO TRESPASSING ON RAILROAD RIGHTS OF WAY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 4119 of the Revised Laws of Hawaii of 1915 is hereby repealed.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 22nd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 18

AN ACT

imp. act 157 1915 305

TO AMEND SECTION 2011 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO LICENSE TO SLAUGHTER SWINE AND SELL PORK.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2011 of the Revised Laws of Hawaii of 1915 is amended to read as follows:

“Section 2011. Fee, to slaughter and sell. The annual fee for a license to slaughter swine and sell pork shall be forty dollars (\$40.00) for the District of Honolulu, and twenty dollars (\$20.00) for each other district; provided, however, that any

Act 18. License to Sell Pork.

Act.19. Labor on Sunday

person may slaughter one swine per month, and sell the pork without a license therefor, provided such swine shall be of his own raising and slaughtered on his own premises; but such person must comply with any city and county ordinance or county ordinance, relating thereto, and provided also such person must comply with such rules and regulations of the Board of Health as apply."

SECTION 2. This Act shall take effect July 1, 1915.

Approved this 23rd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 19

AN ACT

TO AMEND SECTION 4191 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO LABOR ON SUNDAY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 4191 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

"Section 4191. Labor on Sunday. All labor on Sunday is forbidden, excepting works of necessity or mercy, in which are included all labor that is needful for the good order, health, comfort or safety of the community, or for the protection of property from unforeseen disaster, or danger of destruction or injury, or which may be required for the prosecution of or attendance upon religious worship, or for the furnishing of opportunities of reading or study; provided, however, that this Section shall not apply to newspaper printing offices, steamship

Act 19. Labor on Sunday.

Act 20. Holidays.

companies, railroads, telegraph and telephone companies, hotels, inns, restaurants, cigar stores, ice cream parlors, soda water stands, drug stores, livery stables, garages, hackmen, owners and operators of licensed shore boats, operators and owners of licensed automobiles, news depots, graziers and ranchmen, electric light plants, gas works and slaughter houses; and provided, further, that personal baggage may be conveyed to and from vessels leaving and arriving at port on that day, and to and from any railroad stations; that on Sunday the loading and unloading of vessels engaged in inter-island, interstate or foreign commerce shall be permitted, and freight may be conveyed thereto or therefrom on Sunday; that during the entire day, milk, bread, fruit, and ice may be sold and delivered; that until ten o'clock in the forenoon, fresh meat, fresh fish, and fresh vegetables may be sold and delivered, and laundry men and laundries may deliver and collect laundry or washing."

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 20

Amd. Act. 54 S. L. 1919

AN ACT

AND ACT. 157 S. L. 1923

TO AMEND SECTION 137 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO HOLIDAYS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 137, Chapter 16, of the Revised Laws of Hawaii of 1915, is hereby amended to read as follows:

Act 20. Holidays.

“Section 137. Designated. The following days of each year are set apart and established as Territorial holidays, to wit:

The first day of January,
 The twenty-second day of February,
 The thirtieth day of May,
 The eleventh day of June,
 The fourth day of July,
 The first Monday in September, known as Labor Day,
 The third Saturday in September,
 The twenty-fifth day of December, and

All election days, both primary as well as general, in such county or city and county wherein such election is held.

And any day designated by proclamation of the President of the United States as a Day of Thanksgiving, tasting or religious observance, or designated by proclamation of the Governor of the Territory as a holiday, shall be a Territorial holiday.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
 Governor of the Territory of Hawaii.

ACT 21

AN ACT

TO CONSTRUCT A HOMESTEAD ROAD THROUGH THE WAIQHULI-KEOKEA BEACH LOTS, KIHEI, DISTRICT OF MAKAWAO, MAUI, BY MAKING AN APPROPRIATION BY WAY OF ADVANCEMENT OUT OF THE GENERAL REVENUES OF THE TERRITORY OF HAWAII, THE SAME TO BE REIMBURSED OUT OF THE PROCEEDS OF THE SALES OF LOTS IN SAID TRACT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of four thousand five hundred dollars (\$4,500.00), or so much thereof as may be necessary, is hereby appropriated out of the general revenues for use, in addition to the amount now available for the purpose from the proceeds of sales of lots in said tract under provisions of Section 374, Revised Laws of Hawaii of 1915, in the construction of a road through the Waiohuli-Keokea Beach Homestead Lots, District of Makawao, Maui; the amount expended thereunder to be deemed an advancement out of the general revenues to the fund provided for in said Section 374 and to be reimbursed to the general revenues out of the proceeds of sales of such lots when hereafter received.

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 22. Kuiaha Road.

ACT 22

AN ACT

TO CONSTRUCT A HOMESTEAD ROAD THROUGH THE KUIAHA TRACT, DISTRICT OF MAKAWAO, MAUI, BY MAKING AN APPROPRIATION BY WAY OF ADVANCEMENT OUT OF THE GENERAL REVENUES OF THE TERRITORY OF HAWAII, THE SAME TO BE REIMBURSED OUT OF THE PROCEEDS OF THE SALES OF LOTS IN SAID TRACT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary, is hereby appropriated out of the general revenues for use, in addition to the amount now available for the purpose from the proceeds of sales of lots in said tract under provisions of Section 374, Revised Laws of Hawaii, 1915, in the construction of a road through the Kuiaha Homestead Lots, District of Makawao, Maui; the amount expended hereunder to be deemed an advancement out of the general revenues to the fund provided for in said Section 374 and to be reimbursed to the general revenues out of the proceeds of sales of such lots when hereafter received.

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 23

AN ACT

AMENDING THE FRANCHISE HELD BY THE HAWAIIAN ELECTRIC COMPANY, LIMITED, BY EXTENDING IT TO INCLUDE ALL OF THE ISLAND OF OAHU, TERRITORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1 of Act 48 of the Laws of 1903 of the Territory of Hawaii, (Section 836 of the Revised Laws of Hawaii 1915) as amended and approved by an Act of Congress approved April 21, 1904, is hereby amended by striking therefrom the following:

“(b) ‘Honolulu,’ or ‘district of Honolulu,’ shall refer to, include, and mean all that portion of the island of Oahu included in the taxation, educational, and judicial district now defined by law as ‘Honolulu district,’ or the ‘district of Honolulu.’”

SECTION 2. Section 2 of Act 48 of the Laws of 1903 of said Territory (Section 837 of the Revised Laws of Hawaii 1915) as amended and approved by an Act of Congress approved April 21, 1904, is hereby amended so as to read as follows:

“Electric power, manufacture, sale, etc. The right is hereby granted to The Hawaiian Electric Company, Limited, as a body corporate under that or such other name as the said company may hereafter adopt, and its successors and assigns, to manufacture, sell, furnish, and supply electric light, electric current, or electric power on the Island of Oahu, Territory of Hawaii, for lighting the streets, roads, public or private buildings, or for motive power, or for any other purpose which it or they may deem advisable, and from time to time, for the purposes above mentioned, to construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp-posts, conductors, conduits, and such other appliances and appurtenances as may

Act 23. Franchise of Hawaiian Electric Co., Ltd.

from time to time be necessary for the transmission, distribution, or supply of electricity to the consumers thereof, under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys, and lanes in said Island of Oahu, and to connect the said lines, wires, and conductors with any manufactory, private or public buildings, lamp, lamp-posts, or other structure or object with the place of supply."

SECTION 3. Section 3 of Act 48 of the Laws of 1903 of said Territory, (Section 838 of the Revised Laws of Hawaii 1915) as approved by the Act of Congress approved April 21, 1904, is hereby amended so as to read as follows:

"Power houses, etc. Said Company shall also have the right to maintain and operate its present light and power station on the corner of Halekauwila and Alakea Streets, in Honolulu said Island of Oahu, and also to construct, maintain, and operate, at such points as may from time to time be necessary, light and power stations or houses, or such other buildings and structures as may be necessary and proper, and to use machinery therein for the purposes of the company."

SECTION 4. Said Act 48 of the Laws of 1903 of said Territory as amended and approved by an Act of Congress, approved April 21, 1904, is hereby further amended by adding a new section thereto to be known as Section 15A (and to be known as section 850A Revised Laws of Hawaii 1915) and reading as follows:

"This franchise and the person or corporation holding the same shall be subject as to reasonableness of rates, prices and charges and in all other respects to the provisions of Chapter 128 of the Revised Laws of Hawaii 1915, creating a Public Utilities Commission and all amendments thereof for the regulation of the public utilities in said Territory, and all the powers and duties expressly conferred upon or required of the Superintendent of Public Works or the Courts of said Act creating said

Act 23. Franchise of Hawaiian Electric Co., Ltd.

Act 24. Franchise of Honolulu Gas Co., Ltd.

franchise, are hereby conferred upon and required of said Public Utilities Commission and any commission of similar character that may hereafter be created by the laws of said Territory."

SECTION 5. This Act shall take effect upon its approval by the Congress of the United States provided that such approval be given on or before the fourth day of March, 1917.

Approved this 23rd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 24

AN ACT

AMENDING THE FRANCHISE HELD BY THE HONOLULU GAS COMPANY, LIMITED, BY EXTENDING IT TO INCLUDE ALL OF THE ISLAND OF OAHU, TERRITORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1 of Act 30 of the Laws of 1903, as amended and approved by an Act of Congress April 21, 1904, (Section 905 of the Revised Laws of Hawaii 1915) is hereby amended to read as follows:

"Section 1. *Manufacture and supply.* W. W. Dimond, of Honolulu, Island of Oahu, Territory of Hawaii, his associates, successors, and assigns, or such corporation as he or they shall cause to be incorporated under the laws of the Territory of Hawaii (he or they being hereinafter referred to as W. W. Dimond), are hereby authorized and empowered to manufacture and supply gas for use as a fuel, for illuminating purposes, and

Act 24. Franchise of Honolulu Gas Co., Ltd.

otherwise, in Honolulu, which, for the purpose of this chapter, shall be held to include all of the island of Oahu.”

SECTION 2. Said Act 30 of the Laws of 1903 of said Territory as amended and approved by an Act of Congress, approved April 21, 1904, is hereby further amended by adding a new section thereto to be known as Section 7A (and to be known as Section 911A Revised Laws of Hawaii 1915) and reading as follows:

“The franchise and the person or corporation holding the same shall be subject as to reasonableness of rates, prices and charges and in all other respects to the provisions of Chapter 128 of the Revised Laws of Hawaii 1915, creating a Public Utilities Commission and all amendments thereof for the regulation of the public utilities in said Territory, and all the powers and duties expressly conferred upon or required of the Superintendent of Public Works or the Courts of said Act creating said franchise, are hereby conferred upon and required of said Public Utilities Commission and any Commission of similar character that may hereafter be created by the laws of said Territory.”

SECTION 3. This Act shall take effect upon its approval by the Congress of the United States provided that such approval be given on or before the fourth day of March, 1917.

Approved this 23rd day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 25. Examination After Arrest.

Act 26. License to Sell Beef.

ACT 25

AN ACT

TO AMEND SECTION 3730 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO EXAMINATION AFTER ARREST.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3730 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

“Section 3730. Examination after arrest. In all cases of arrest for examination, the person so arrested shall not be denied the right of seeing counsel at any time, and the person making the arrest shall conduct the party arrested before the court or magistrate empowered to take such examination within forty-eight hours after his arrest, except in cases where a longer delay is absolutely necessary to meet the ends of justice.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 24th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 26

Am. Act. 158, 1915, 304

AN ACT

TO AMEND SECTION 2007 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO LICENSE TO SLAUGHTER CATTLE
AND SELL BEEF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2007 of the Revised Laws of Hawaii of 1915 is amended to read as follows:

Act 26. License to Sell Beef.

Act 27. Payment to Paradise of Pacific.

“Section 2007. Fee, to slaughter and sell. The annual fee for a license to slaughter cattle and sell beef shall be one hundred dollars (\$100.00) for the District of Honolulu, and twenty dollars (\$20.00) for each other District; provided, however, that any person may slaughter one head of cattle per month and sell such beef without a license therefor, provided such beef shall be of his own raising, and slaughtered on his own premises; but such person must comply with any city and county ordinance or county ordinance, relating thereto; and provided, also, such person must comply with the rules and regulations of the board of health as apply; and provided, further, that any person so slaughtering and selling beef without a license shall keep a full and accurate record concerning every animal killed, as provided by Section 2008 of the Revised Laws of Hawaii of 1915.”

SECTION 2. This Act shall take effect July 1, 1915.

Approved this 24th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 27

AN ACT

TO AUTHORIZE THE AUDITOR OF THE TERRITORY TO ISSUE A WARRANT TO THE PARADISE OF THE PACIFIC IN PAYMENT OF INDEBTEDNESS DUE FROM THE TERRITORY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The auditor of the territory is hereby authorized and directed to issue to the Paradise of the Pacific a warrant in the sum of two thousand two hundred and twenty-one and 50/100 dollars (\$2,221.50) in payment of the indebtedness

Act 27. Payment to Paradise of Pacific.

Act 28. Deputy Clerks, Honolulu.

incurred by the board of commissioners for the Panama-Pacific International Exposition by entering into a contract with the said Paradise of the Pacific, without having first duly advertised for tenders as required by law, and to charge said amount to the appropriation made by Act 154 of the Session Laws of 1913.

SECTION 2. This Act shall take effect upon its approval.

Approved this 25th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 28

AN ACT

TO AMEND SECTION 1744 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO APPOINTMENT BY THE CLERK OF THE CITY AND COUNTY OF HONOLULU OF A DEPUTY AND OTHER CLERKS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1744 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

“Section 1744. Deputies, clerks. The city and county clerk may appoint deputies who shall possess the qualifications required of the city and county clerk, and may also appoint such other clerks and assistants as may be necessary for the proper discharge of his official duties, whose compensations shall be appropriated by the board of supervisors.”

Act 28. Deputy Clerks, Honolulu.

Act 29. School Budget.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 25th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 29

AN ACT

Am. Act. 93 1915 Pg. 111

TO CONTINUE THE SCHOOL BUDGET AS FIXED BY ACT 149, SESSION LAWS OF 1913, TO AND INCLUDING DECEMBER 31, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The school budget as fixed and provided by Act 149, Session Laws of 1913, is hereby continued in full force and effect to and including December 31, 1915.

SECTION 2. This Act shall take effect upon its approval.

Approved this 25th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 30**AN ACT**

TO EXTEND AND CONTINUE THE LICENSE OF THE HONOLULU BREWING AND MALTING COMPANY, LIMITED, FOR THE BREWING AND SALE OF MALT LIQUORS.

WHEREAS, on May 13, 1903, under the terms and provisions of Act 20 of the Laws of 1903 the Treasurer of the Territory of Hawaii issued the following license to the Honolulu Brewing and Malting Company, Limited, to wit:

“KNOW ALL MEN BY THESE PRESENTS, That the
HONOLULU BREWING & MALTING
COMPANY, LIMITED,

a corporation of Honolulu, Island of Oahu, under and in accordance with Act 20 of the Session Laws of 1903, is hereby authorized and licensed to Brew Malt Liquors at Queen Street, in the District of Honolulu, Island of Oahu, Territory of Hawaii, for the term of FIFTEEN YEARS (15) from April 4th, 1903, subject to an annual fee of TWO HUNDRED AND FIFTY DOLLARS (\$250.00) payable annually in advance and also subject to the following provisions and conditions:

1. That no sales of Malt liquors shall be made by the owner of this license in less quantity than five gallons in bulk, or if in bottles not less than one dozen quart bottles or two dozen pint bottles.

2. That the licensee shall not make use of any deleterious or poisonous drugs or substance in the manufacture of Malt liquors; shall not manufacture or offer for sale Malt liquors of an alcoholic strength above ten per cent.

3. That this license shall not be voluntarily sold or transferred except in conformity with Section 5 of said Act 20 of

Act 30. Brewery License.

the Laws of 1903, and all changes of ownership under the above section shall be notified in writing, to the Treasurer and endorsed on this license.

4. This license or duly certified copies hereof from the office of the Treasurer shall always be exposed by the licensee in a conspicuous place in the office of the licensee to the view of all persons.

5. This license shall become void unless the owner hereof shall be ready to begin the manufacture of Malt liquors and shall begin such manufacture within ONE YEAR from the date hereof.

This license is granted upon the express condition that the owner of the same shall not violate, or permit to be violated, any of the conditions or provisions upon which such license is granted; and in case of violation of the terms or conditions hereof, this license shall become void and without effect, as provided by law."

AND WHEREAS, said license so issued as aforesaid, expires on April 4, 1918.
NOW THEREFORE,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That said license of the Honolulu Brewing and Malting Company, Limited, is hereby extended and continued for a period of fifteen years from and after the date of the approval hereof, subject to the same terms, conditions, provisions and penalties contained in said license, except as herein provided.

SECTION 2. That all sales under this license shall be made subject to such reasonable regulations as the Board of License Commissioners of the City and County of Honolulu shall make applicable to wholesale liquor licenses within its jurisdiction.

Act 30. Brewery License.

Act 31. Capital of Banking Corporations.

SECTION 3. The Legislature of the Territory of Hawaii hereby reserves the right to amend, alter or cancel the license herein and hereby granted. Said license is hereby specifically made subject to any and all legislation either Territorial or Federal, concerning or affecting the restriction or prohibition of the sale of intoxicating liquors in said Territory of Hawaii.

Approved this 29th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 31

AN ACT

TO AMEND SECTION 3318 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO BANKING CORPORATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3318 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

“Section 3318. Amount. No charter shall be granted under the provisions of this Chapter to any company whose principal place of business is in Honolulu District and whose capital stock is less than two hundred thousand dollars (\$200,000.00); and no charter shall be granted under the provisions of this Chapter to any company, whose principal place of business is elsewhere in the Territory of Hawaii and whose capital stock is less than one hundred thousand dollars (\$100,000.00). Provided, however, that no bank with a paid-in capital of less than

Act 31. Capital of Banking Corporations.

Act 32. Civil Service Examinations.

one hundred thousand dollars (\$100,000.00) shall have the right to establish branches, as provided by Section 3331 of the Revised Laws of Hawaii of 1915.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 29th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 32

AN ACT

TO AMEND SECTION 925 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO CIVIL SERVICE EXAMINATIONS UNDER THE BOARD OF HEALTH.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 925 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

“Section 925. Examinations. Such examination shall be public and free to all citizens of the Territory, and to all persons eligible to become such, over twenty and under sixty years of age, with proper limitations as to residence, health, habits and character. Such examinations shall be practical in their character and shall be conducted in either the English or the Hawaiian language at the option of the person examined, and may include tests of manual skill and physical strength. The commission shall control all such examinations, and may designate a suitable person or persons to conduct them.”

Act 32. Civil Service Examinations.

Act 33. Waiakea Lands.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 29th day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 33

AN ACT

PROVIDING FOR THE DISPOSITION OF CERTAIN PUBLIC LANDS
AT WAIAKEA, IN THE CITY OF HILO, COUNTY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The commissioner of public lands, with the approval of the governor of the Territory of Hawaii, shall herewith immediately order the subdivision of the three hundred acres of land which had heretofore been released by the Waiakea Plantation Company, Limited, from their general lease, the said land being that tract of land lying between the Hoolulu Park, the Waiakea River and the Volcano Road, in the City of Hilo, County of Hawaii.

SECTION 2. That the said tract of land shall be divided into lots, each lot not to exceed one acre in area.

SECTION 3. All lots shall be numbered and shall be appraised in the manner provided by law; and that the said lots shall be sold by drawing of numbers.

SECTION 4. That said lots so sold shall be for cash or time payments. If a purchaser desires to pay for his lot in cash, he shall pay the full value of the said lot at the time of drawing. Time payments shall be made in the following manner: ten per cent. of the purchase price at the time of drawing; ten

Act 33. Waiakea Lands.

Act 34. Kahakuloa Stream Improvements.

per cent. at the end of six months; and twenty per cent. annually thereafter until the purchase price is fully paid up; deferred payments to bear interest at the rate of six per cent. annually.

SECTION 5. No titles to the said lots shall be issued until all the conditions imposed by the commissioner of public lands and the governor shall have been faithfully carried out.

SECTION 6. This Act shall take effect upon its approval.

Approved this 31st day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 34

AN ACT

AUTHORIZING AND DIRECTING THE SUPERINTENDENT OF PUBLIC WORKS TO CONSTRUCT A DAM AND REPAIR THE BANKS OF STREAM IN KAHAKULOA VALLEY, ISLAND OF MAUI, AND MAKING AN APPROPRIATION THEREFOR.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The superintendent of public works is hereby authorized and directed to cause to be constructed a dam in Kahakuloa Valley, Island of Maui, and to repair the banks of the stream in said valley, but in no case shall he expend upon such work a sum in excess of that hereinbelow appropriated therefor.

SECTION 2. The sum of five hundred dollars (\$500.00) is hereby appropriated out of any moneys in the general fund of the Territory, not otherwise appropriated, for the carrying out

Act 34. Kahakuloa Stream Improvements.

Act 35. Boats for Hire.

of the provisions of this Act, which sum shall be disbursed on warrants drawn by the auditor, based upon vouchers approved by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

Approved this 31st day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 35

AN ACT

TO REPEAL SECTIONS 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, AND 2006 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO BOATS FOR HIRE, FEE AND RATES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Sections 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005 and 2006 of the Revised Laws of Hawaii of 1915 are hereby repealed.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 31st day of March, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 36. Water Resources.

ACT 36

AN ACT

TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION TO EXAMINE INTO THE WATER RESOURCES AND WATER LAWS OF THE TERRITORY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The governor is hereby authorized to appoint a commission of three persons, one or more of whom shall be a member or members of the legal profession, which shall serve without pay, and which shall collect and examine available data and information relative to the water resources, both underground and surface, and both privately and publicly owned or controlled, in the Territory of Hawaii;

Which shall also examine and make a study of existing laws pertaining to the diverting, developing, using, conserving, holding, and wasting of water;

Which shall, if deemed necessary, employ the services of legal and technical experts;

Which shall have the power to visit, examine and measure all existing water sources, channels, ditches, wells, tunnels or other structures used for transporting or utilizing water; and

Which shall make such recommendations and draft such legislation as may by it be deemed necessary to serve the best interests of the people of the Territory of Hawaii, and shall embody the same in a report to the governor on or before January 1, 1917.

SECTION 2. There is hereby appropriated out of the general revenues the sum of five thousand dollars (\$5,000.00) for defraying the expenses of said commission, to be disbursed on warrants of the auditor, issued on approved vouchers of the chairman of said commission.

Act 36. Water Resources.

Act 37. Maui County Election, 1915.

SECTION 3. This Act shall take effect upon its approval.

Approved this 31st day of March, A. D. 1915.

LUCIUS E. PINKHAM,

Governor of the Territory of Hawaii.

ACT 37

AN ACT

TO ENABLE THE BOARD OF SUPERVISORS OF THE COUNTY OF MAUI TO ISSUE A PROCLAMATION CONCERNING THE COUNTY ELECTION IN SAID COUNTY, TWENTY DAYS BEFORE TUESDAY, MAY 4TH, 1915.

WHEREAS, by Section 1537 of the Revised Laws of Hawaii of 1915, at least sixty days before a general election, the boards of supervisors of the various counties within this territory are required to issue a proclamation concerning county elections, and to transmit copies of the same to the several boards of inspectors throughout their county, and to cause such proclamation to be posted in the manner required by law, and

WHEREAS, by Section 1517 of the Revised Laws of Hawaii of 1915, a general election of officers for the County of Maui, is provided to be held on the first Tuesday after the first Monday in the month of May in the year 1915, and

WHEREAS, the board of supervisors of said County of Maui has neglected and failed to issue the proclamation required by Section 1537 of the Revised Laws of Hawaii of 1915 within the time prescribed in said Section 1537,

Act 37. Maui County Election, 1915.

Act 38. Stamp Duties.

NOW THEREFORE,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That at least twenty days prior to Tuesday, the 4th day of May 1915, the Board of Supervisors of the County of Maui shall issue a proclamation concerning the general election of officers of the County of Maui, to be held on said 4th day of May 1915, and transmit copies of said proclamation to the several boards of inspectors throughout their county, and cause such proclamation to be posted in the manner required by law, and for all the intents and purposes of the election to be held in the County of Maui, Territory of Hawaii, on Tuesday, May 4th, 1915, such proclamation shall be in lieu of the proclamation required by Section 1537 of the Revised Laws of Hawaii, 1915.

SECTION 2. This Act shall take effect from the date of its approval.

Approved this 1st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 38

AN ACT

AM. ACT. 84 1915 113
Act. 207 S. L. 1917
TO AMEND SECTION 1369 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO STAMP DUTIES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1369 of the Revised Laws of Hawaii, 1915, is hereby amended by adding to line 92 thereof, after

Act 38. Stamp Duties.
Act 39. Hilo Wharf.

the figures "\$1,000," the following words: "or fractional part thereof," so that lines 92 and 93 shall read as follows:

"And for every additional \$1,000, or fractional part thereof, when the amount secured is over \$10,000.....3.00."

SECTION 2. Section 1369 of the Revised Laws of Hawaii, 1915, is hereby amended by adding after line 66 thereof the following: "For each assignment, reconveyance, cancellation, or other surrender of lease.....1.00."

SECTION 3. This Act shall take effect upon its approval.

Approved this 1st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 39

Am. Act. 42 1917 pg. 55

Rep. Act. 42 1917 pg. 55
Sec. 4.

AN ACT

TO RE-APPORTION CERTAIN OF THE APPROPRIATIONS PROVIDED FOR IN ACT 170, SESSION LAWS OF 1913.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of fifteen thousand dollars (\$15,000.00) shall be deducted from item numbered 5 in Act 170 of the Session Laws of 1913 (page 1501, Appendix, Revised Laws of Hawaii, 1915), said item being an appropriation for wharf improvements at Hilo and shall be added to item numbered 6 in said Act, said item being an appropriation for Hilo wharf approach from Waiakea, so that there shall be available for said item numbered 5 the sum of three hundred and twenty-five thousand dollars (\$325,000.00) instead of three hundred and

Act 39. Hilo Wharf.

Act 40. Homestead Roads, Koolaupoko, Oahu.

forty thousand dollars (\$340,000.00) and for said item numbered 6 the sum of forty thousand dollars (\$40,000.00) instead of twenty-five thousand dollars (\$25,000.00).

SECTION 2. This Act shall take effect upon its approval.

Approved this 1st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 40

AN ACT

MAKING APPROPRIATION FOR THE CONSTRUCTION OF A HOME-STEAD ROAD IN THE HALEKOU-WAIKALUA-KAI AND KALUA-PUHI-WAIKALUA HOMESTEAD TRACTS, DISTRICT OF KOOLAUPOKO, CITY AND COUNTY OF HONOLULU, TERRITORY OF HAWAII, OUT OF THE PROCEEDS OF THE SALES OF HOME-STEAD LOTS IN SAID DISTRICT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the sum of one thousand five hundred dollars (\$1,500.00), or so much thereof as may be necessary, is hereby appropriated out of the proceeds of the sales of homestead lots, in the Halekou-Waikalua-kai and Kaluapuhi-Waikalua Homestead Tracts, District of Koolaupoko, City and County of Honolulu, Territory of Hawaii, for the construction of a homestead road in said District.

SECTION 2. This Act shall take effect upon its approval.

Approved this 3rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 41. Expenses of Elections.

Act 42. Admission to Polls.

ACT 41

AN ACT

MAKING AN ADDITIONAL APPROPRIATION FOR EXPENSES OF ELECTIONS OUT OF THE GENERAL REVENUES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The additional sum of twenty-five hundred dollars (\$2,500.00) is hereby appropriated for expenses of elections for the biennial period ending June 30, 1915, out of moneys in the treasury received from the general revenues.

SECTION 2. This Act shall take effect upon its approval.

Approved this 3rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 42

AN ACT

TO AMEND SECTION 98 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO ELECTIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 98 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 98. Admission within polling place. The inspectors shall, previously to opening the polls, set apart a sufficient space around the polling place to prevent interference with the conduct of the election; and no person, other than the inspectors,

Act 42. Admission to Polls.

Act 43. Homestead Roads, Makaoku, Hilo.

the candidates or their respective agents, not more than two each, and such voters as are for the time being actually engaged in voting, shall be permitted within the space so set apart during the time appointed for voting."

SECTION 2. This Act shall take effect upon its approval.

Approved this 5th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 43

AN ACT

APPROPRIATING SEVENTY-EIGHT HUNDRED DOLLARS FOR
ROADS THROUGH THE HOMESTEAD LOTS AT MAKAOKU,
HILO, HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of Seventy-eight Hundred Dollars (\$7,800.00) is hereby appropriated to be paid out of the balance of available funds for Homestead Roads, Hawaii, for the construction of roadways through the Makaoku Homestead lot section at Waiakea, in the District of South Hilo, County of Hawaii, and for acquiring Rights of Way and extending one such roadway through Waiakea lands to Front Street, in the District aforesaid, in accordance with the following descriptions:

(1) Beginning at the East corner of this reservation, same being the Southeast corner of Grant 5833, from which point of beginning the co-ordinates as referred to Halai Trig. Station

Act 43. Homestead Roads, Makaoku, Hilo.

are 3,635.28 feet North and 10,724.79 feet East, and running by true azimuths as follows:

1. $25^{\circ} 08'$ 35.32 feet along land of Waiakea to Northeast corner of Grant 5333;
2. $107^{\circ} 24' 30''$ 592.9 feet along road reserve and across Kilohana Avenue to the Northwest corner of Grant 5857; thence on same azimuth to Cocoanut Island Road, the distance being 50 feet (more or less);
3. $174^{\circ} 31' 30''$ 37.99 feet along Cocoanut Island Road to Southwest corner of Government Reserve;
4. $287^{\circ} 24' 30''$ 672.9 feet along road reserve and across Kainche and Kilohana Avenues to point of beginning.

(2) Beginning at the junction of Kilohana Avenue and Kanakea Road reservation, same being the Northeast corner of the "Kauikeaouli Park" reserve, from which point of beginning the co-ordinates as referred to Halai Trig. Station is 4,143.76 feet North and 10,573.90 feet East, and running by true azimuths as follows:

1. $17^{\circ} 24' 30''$ 870.88 feet along road reserve and across Aalapuna Avenue to Southeast corner of Grant 5837 on boundary of Makaoku Tract and land of Waiakea; thence through land of Waiakea to Front Street, the azimuth and distance being $17^{\circ} 24' 30''$ —1,230 feet (more or less);
2. $274^{\circ} 45'$ 30.75 feet along Front Street;

Act 43. Homestead Roads, Makaoku, Hilo.

3. $197^{\circ} 24' 30''$ 1240.00 feet (more or less) through land of Waiakea to Southwest corner of Grant 5560 of Makaoku Tract; thence along road reserve and across Aalapuna Avenue to Kanakea Road Reservation, same being the Northwest corner of Grant 5716, the azimuth and distance being $197^{\circ} 24' 30''$ —845.40 feet;
4. $308^{\circ} 28'$ 32.15 feet along Kanakea Road reserve to point of beginning.

SECTION 2. The said sum of Seventy-eight Hundred Dollars (\$7,800.00) hereby appropriated shall be disbursed on warrants drawn by the Auditor, based upon vouchers approved by the Superintendent of Public Works, who shall have charge of the construction of said road. Provided, that the Superintendent of Public Works shall contract for the construction of such road, but in no case shall contract for an amount in excess of the sum of Seventy-eight Hundred Dollars (\$7,800.00).

SECTION 3. The amount herein appropriated under this Act shall become immediately available, and the construction of said road shall be commenced as soon as the contract herein provided therefor shall be made not later than July 30, 1915.

SECTION 4. This Act shall take effect upon its approval.

Approved this 5th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 44

Amended by Act 24 of 1917

AN ACT

TO AMEND SECTIONS 3001 AND 3003 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO CURFEW.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3001 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the word "seven" in line 5 thereof, and inserting in lieu thereof the word "eight."

SECTION 2. Section 3003 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SECTION 3003. School children prohibited in certain places, when; penalty. Any keeper of a coffee shop, ice cream parlor, victualing or billiard saloon, bowling alley, skating rink, theatre, show-house, or premises in which any show, moving picture, or other like public entertainment shall be given, who shall permit any child under the age of fifteen years to be or remain upon such premises or in such saloon, rink, theatre, show-house or premises, or in whose premises such child may be found between the hours of eight in the evening and six in the morning, unless such child shall be accompanied by his or her parent or guardian, or some other adult person, having authority over such child, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not to exceed one hundred dollars (\$100.00)."

SECTION 3. This Act shall take effect upon its approval.

Approved this 5th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 45. License to Sell Milk.

ACT 45

AN ACT

TO AMEND SECTION 2053 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO LICENSE TO SELL MILK.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2053 of the Revised Laws of Hawaii of 1915 is amended to read as follows:

“Section 2053. Fee. The annual fee for a license to sell milk shall be two dollars and fifty cents; provided, however, that any person having no more than two milch cows may sell the milk from such cows without a license therefor; but such person must comply with any city and county ordinance or county ordinance relating thereto, and provided also such person must comply with such rules and regulations of the Board of Health as apply.”

SECTION 2. This Act shall take effect on and after the date of its approval.

Approved this 6th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

E. C. PETERS
ATTORNEY AT LAW
210 McCANDLESS BLDG.

Recd. **SEP 14 1915**

49
Hawaii
T. J.

Act 46. Municipal Bond Election.
Act 47. Adoption of Minors.

Ans'd.....

Office No. **ACT 46**

Amd. Act. **705** S. L. 1919

AN ACT

TO AMEND SECTION 2174 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO ELECTION TO DETERMINE ISSU-
ANCE OF MUNICIPAL BONDS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2174 of the Revised Laws of Hawaii of
1915 is hereby amended so as to read as follows:

“Section 2174. Election to determine issuance. No bonds
shall be issued until the board of supervisors shall cause an
election to be held in such county on the question of the issu-
ance of such bonds. In case at least sixty per cent of the reg-
istered voters voting of said county shall vote affirmatively at
such election for the issuance of such bonds, the treasurer of
such county shall issue the same, and not otherwise; provided,
however, that no such issue of bonds shall be made until ap-
proved by the President of the United States in accordance
with law.”

SECTION 2. This Act shall take effect on its approval.

Approved this 6th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Amd. Act. **3** S. L. 1919

ACT 47 See 24 No. 7

AN ACT

TO REGULATE THE ADOPTION OF MINORS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Any proper person not married, or a husband
and wife jointly, may petition a judge of the circuit court of

Act 47. Adoption of Minors.

the circuit in which they reside, or a judge of the circuit court of the circuit in which the child resides for leave to adopt a minor child not theirs by birth, and for a change of the name of such child. A written consent must be given to such adoption by the child, if of the age of sixteen years, and by each of his or her living legal parents who is not hopelessly insane, habitually intemperate, or has not abandoned such child for a period of six months, or has not voluntarily surrendered the care and custody of such child to another for a period of two years or over, which fact of such insanity, intemperance, abandonment or surrender shall be found by the judge at the time of hearing the petition and such finding noted in the order. If the parents are unknown or have so abandoned or surrendered said child, such consent to adoption shall be signed by the legal guardian of such child, or if there be no legal guardian, then the court may appoint some suitable person to act in the proceedings as the next friend of the child.

SECTION 2. If the judge is satisfied of the ability of the petitioner to bring up and educate the child properly, having reference to the degree and condition of its parents and the fitness and propriety of such adoption, he shall make an order setting forth the facts and declaring that, from that date, to all legal intents and purposes, such child is the child of the petitioner and that its name is thereby changed.

SECTION 3. All laws and parts of laws in conflict herewith are hereby repealed, and the procedure herein set forth for the adoption of minors shall supersede all other methods of adoption heretofore legal.

SECTION 4. This Act shall take effect from the date of its approval.

Approved this 6th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 48**AN ACT**

TO AMEND SECTION 1133 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO RECORDING OF BIRTHS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1133 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 1133. Births. Each registrar shall enter in said record, in respect of each birth occurring in his district, the following facts, so far as they can be ascertained by him, viz: the name of the father, the name of the mother, the date of the birth, the sex of the child, the name of the child, if it has been named, the locality of its birth, and whether the child is legitimate or illegitimate. Provided, however, that said registrar shall keep a separate record of all births reported later than six (6) months after the date of said birth, which record shall not be admissible as evidence of any statement therein made, nor shall any certified copy of such record or any part thereof be furnished by said registrar.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 6th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 49. Sheriffs as Coroners.
Act 50. Headless Driving.

ACT 49

AN ACT

AMENDING SECTION 1561 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO CORONERS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1561 of the Revised Laws of Hawaii,
1915, is hereby amended so as to read as follows:

“Section 1561. Act as coroner. The sheriff and his dep-
uties shall be ex-officio county coroners, and as such, shall, within
their respective counties and districts, have all the powers and
perform all the duties of coroners as provided by law; pro-
vided, however, that in the absence, illness or disqualification
of the deputy sheriff of any district, any deputy sheriff of any
other district, within the county, shall act as coroner, if so in-
structed by the sheriff of the county.”

SECTION 2. This Act shall take effect from the date of its
approval.

Approved this 6th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

See 25 Ha. 25

ACT 50

AN ACT

Am. Act. 100 1919 290
Am. Act. 90 S. L. 1921

TO AMEND CHAPTER 252 OF THE REVISED LAWS OF HAWAII,
1915, BY ADDING A SECTION THERETO TO BE KNOWN AS

Act 50. Heedless Driving.

Act 51. Commissioners of Education.

SECTION 4101A, PROVIDING FURTHER PENALTIES FOR
FURIOUS AND HEEDLESS DRIVING.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Chapter 252 of the Revised Laws of Hawaii, 1915, is hereby amended, by the addition of a section thereto to be known as Section 4101A, and to read as follows:

“Section 4101A: Additional penalties. In addition to the penalties prescribed by Sections 4100 and 4101, respectively, the magistrate before whom, or the court in which a conviction under either of said sections shall be had, may, in addition to the penalties in said sections, or either of them, provided, impose a sentence of imprisonment for a term not exceeding one year, and may also, in his or its discretion, suspend the use and operation of any license to operate motor vehicles held by the person or persons so convicted for any period not to exceed one year.”

SECTION 2. This Act shall take effect from and after its approval.

Approved this 6th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 51

AN ACT

TO AMEND SECTION 254 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO COMMISSIONERS OF EDUCATION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 254 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

Act 51. Commissioners of Education.

Act 52. Makawao District Boundary.

“Section 254. Who eligible. No person in holy orders or a minister of religion shall be eligible as a commissioner. Women shall be eligible to be appointed as commissioners; provided, however, that not more than three shall hold commissions at any one time. All commissioners shall serve without pay, but shall be entitled to reimbursement for their necessary expenses incurred while attending meetings.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 6th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 52

AN ACT

TO AMEND PARAGRAPH 2 OF SUB-DIVISION 2 OF SECTION 134
OF THE REVISED LAWS OF HAWAII, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Paragraph 2 of Sub-division 2 of Section 134 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“2. Hamakualoa, Hamakuapoko, Kula and Honuaula, the western boundary being a line starting from the sea at Kapukaulua and running along the bottom of the gulch to the peak of ‘Puu o Kaia’; thence in a straight line to the peak of ‘Puu Koae’; thence in a straight line to ‘Puu o Koha’ triangulation station; thence in a straight line to ‘Puu o Kali’ triangulation station; thence down along the boundary of Waiohuli and Keo-

Act 52. Makawao District Boundary.

Act 53. Civil Service Examinations.

kea to the sea, and the Island of Kahoolawe, to be styled the Makawao District."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 53

AN ACT

TO AMEND SECTION 1875 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO CIVIL SERVICE EXAMINATION OF APPLICANTS FOR POSITIONS IN THE POLICE AND FIRE DEPARTMENTS OF THE CITY AND COUNTY OF HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1875 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

"Section 1875. Examination of applicants. The examination which the rules and regulations shall provide for shall be public and free for all citizens of the Territory over twenty and under sixty years of age with proper limitations as to residence, health, habits and character. The examinations shall be practical in their character and shall be conducted in either the English or the Hawaiian language at the option of the person examined, and may include tests of manual skill and physical strength. The commission shall control all examinations and may designate suitable persons to conduct them and fix the rate

Act 53. Civil Service Examinations.

Act 54. Waimea River Improvements.

of their compensation which shall be paid by the city and county on the certificate of the secretary of the commission."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 54

AN ACT

TO APPROPRIATE MONEY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF REPAIRING AND RECONSTRUCTING THE STONE EMBANKMENT OF THE WAIMEA RIVER, ISLAND OF KAUAI, AND TO PROVIDE FOR THE REPAYMENT OF THE MONEY APPROPRIATED.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There shall be and is hereby appropriated the sum of fifteen thousand dollars (\$15,000.00) from the public treasury of the Territory of Hawaii for the purpose of repairing and reconstructing the stone embankment of the Waimea River, Island of Kauai.

SECTION 2. The above appropriation shall be expended under the supervision of the superintendent of public works.

SECTION 3. The superintendent of public works is hereby ordered to proceed forthwith with the repairing of said embankment.

Act 54. Waimea River Improvements.

Act 55. Tuberculosis Sanitorium, Kauai.

SECTION 4. The said sum of fifteen thousand dollars (\$15,000.00), or so much thereof as may be expended, shall be repaid into the general funds of the territorial treasury from the sales of public lands upon the Island of Kauai.

SECTION 5. This Act shall take effect from and after the date of its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 55

AN ACT

AUTHORIZING AND EMPOWERING THE GOVERNOR OF THE TERRITORY OF HAWAII TO SET ASIDE, BY EXECUTIVE ORDER, TO THE COUNTY OF KAUI, CERTAIN LAND SITUATE AT KAPAA, COUNTY OF KAUI, FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING THEREON A COUNTY FARM AND SANITORIUM FOR THE CARE AND TREATMENT OF PERSONS AFFLICTED WITH TUBERCULOSIS.

WHEREAS, The County of Kauai is desirous of establishing and maintaining a County Farm and Sanitorium for patients afflicted with tuberculosis; and

WHEREAS, The Honorable A. S. Wilcox has agreed to donate the sum of Twenty-five Thousand Dollars (\$25,000.00) for the erection of a building or buildings for the purposes of such hospital, provided a suitable site be found therefor; Now, Therefore,

Act 55. Tuberculosis Sanitorium, Kauai.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The governor is hereby authorized and empowered to set aside, by executive order, to the County of Kauai, the following described property for the purpose of establishing thereon a County Farm and Sanitorium for the care and treatment of persons afflicted with tuberculosis, to wit:

Beginning at a cross (+) on stone on the South boundary of this tract and the East corner of Grant 5124 to Emilie Hundley, the coordinates of said point of beginning referred to Government Survey Trig. Station, "North Base," being 1073.68 feet North and 301.75 feet West, as shown on Government Survey Registered Map No. 2324, and running by true azimuths:

1. 132° 30' 78.0 feet along Grant 5124 to Emilie Hundley;
2. 165° 58' 397.9 feet along Grant 5124 to Emilie Hundley;
3. 107° 46' 100.0 feet along Grant 5124 to Emilie Hundley to the East side of school road;
4. Thence along East side of said road to the West corner of School Lot, the direct azimuth and distance being 190° 10' 1485.0 feet;
5. 280° 00' 528.0 feet along School Lot;
6. 190° 00' 330.0 feet along School Lot;
7. 100° 00' 528.0 feet along School Lot to the East side of School Road, the coordinates of said point referred to Government Survey Trig. Station "Nonou" being 10550.0 feet North and 13840.0 feet East;
8. Thence along East side of said road to the South side of the Kapahi Road, the direct azimuth and distance being 195° 40' 600.0 feet;
9. Thence along South side of said road to edge of bluff, the direct azimuth and distance being 261° 00' 1450.0 feet;

Act 55. Tuberculosis Sanitorium, Kauai.

Act 56. Divorce.

10. Thence along edge of bluff the direct azimuth and distance being $343^{\circ} 10'$ 1260.0 feet;
11. $23^{\circ} 30'$ 315.0 feet down the bluff to a point on the West side of Government Main Road;
12. Thence along the West side of said road, the direct azimuth and distance being $20^{\circ} 40'$ 1250.0 feet;
13. Thence still along the West side of said road to the right-of-way of Plantation Railroad, the direct azimuth and distance being $49^{\circ} 00'$ 940.0 feet;
14. Thence along railroad right-of-way to the North side of School Road, the direct azimuth and distance being $100^{\circ} 05'$ 515.0 feet;
15. $120^{\circ} 20'$ 250.0 feet to the point of beginning. Area 120 Acres, a little more or less.

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 56

Amd. Act. 192 S. L. 1917

AN ACT

TO AMEND SECTIONS 2926 AND 2931 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO DIVORCE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2926 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out from line 10 thereof the word "Chinese."

Act 56. Divorce.

Act 57. Dissolution of Corporations.

SECTION 2. Section 2931 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out from lines 7 and 11 thereof the word "Chinese."

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 57

AN ACT

TO AMEND CHAPTER 181 OF THE REVISED LAWS OF HAWAII, 1915, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 3308A, PROVIDING FOR THE DISSOLUTION OF CORPORATIONS IN CERTAIN CASES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 3308A, as follows:

"Section 3308A. Dissolution by Treasurer in Certain Cases. If any corporation shall have failed or neglected for a period of two years to file an annual exhibit as required by law, and the Treasurer shall be unable after due investigation to find any director or manager of such corporation in the Territory; or if any corporation shall have received a discharge in bankruptcy, the Treasurer may, in either of such events, annul the charter

AND ACT 141 S. L. 1923

Act 57. Dissolution of Corporations.

Act 58. Corporation Fees.

of any such corporation and declare the corporation dissolved, after publishing once every two weeks for eight weeks notice of his intention to dissolve such corporation. In the event of any such corporations being declared to be dissolved, any trustee appointed to settle the affairs of the corporation shall pay to the Territory out of any funds which may come into his hands as such trustee, a sum equal to the minimum fine which might be imposed under the provisions of Section 3304, which amount shall have priority of right over all other claims."

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 58

AN ACT

TO AMEND SECTION 3305 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO FEES PAYABLE BY CORPORATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3305 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 3305. Fees. On filing any certificate or other paper, relative to corporations, in the office of the treasurer of the Territory, in addition to the stamp duty and recording fee now charged, the following fees and taxes shall be paid to the treasurer of the Territory for the use of the Territory. For

Act 58. Corporation Fees.

certificate of incorporation, twenty cents for each thousand dollars of the total amount of capital stock authorized, but in no case less than thirty-five dollars; increase of capital stock, twenty cents for each thousand dollars of the total increase authorized, but in no case less than twenty dollars; co-partnerships of corporations, twenty cents for each thousand dollars of capital authorized beyond the total authorized capital of the corporations composing such co-partnerships, but in no case less than twenty-five dollars; extension or renewal of corporate existence of any corporation, the same as required for the original certificate of organization by this section; change of name, change of nature of business, amended certificates of organization (other than those authorizing increase of capital stock), decrease of capital stock, increase or decrease of par value or of number of shares, twenty-five dollars; for filing annual exhibit of domestic and foreign corporations, ten dollars; for dissolution of corporation, no charge; and for all certificates not hereby provided for, five dollars. Provided, that none of these additional fees shall be required to be paid by any religious, charitable, educational or other corporation which does not issue shares of capital stock, nor by any other corporation which is not organized for pecuniary profit."

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 59. Appropriation for Lahainaluna School.
Act 60. Payments to Informers.

ACT 59

AN ACT

MAKING AN EMERGENCY APPROPRIATION OF FIVE THOUSAND
DOLLARS FOR LAHAINALUNA INDUSTRIAL SCHOOL.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of Five Thousand (\$5,000.00) Dollars is hereby appropriated as an emergency appropriation out of any moneys available in the School Fund, for maintenance, repairs, equipment and improvements for Lahainaluna Industrial School, said sum to become available at once.

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 60

AN ACT

TO PROVIDE FOR THE PAYMENT TO THE INFORMER OF ONE-
HALF OF THE FINES IMPOSED OR COLLECTED IN CASES FOR
VIOLATION OF THE LAWS RELATIVE TO FISH AND GAME.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. One-half of the fine imposed and collected in all cases wherein the defendant shall have been convicted for a violation of any of the provisions of Chapter 43 and Chapter

Act 60. Payments to Informers.

Act 61. Fees of Land Court.

44 of the Revised Laws of Hawaii, 1915, shall be paid to the person or persons giving the information leading to the arrest of the person so convicted. Provided, however, that the provisions of this Act shall not apply, if said informer is a regular salaried sheriff, deputy sheriff, police officer, or constable.

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Amd. Act. 156 S. L. 1921

ACT 61

AN ACT

TO AMEND SECTION 3241 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO FEES OF THE LAND COURT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3241 of the Revised Laws of Hawaii, 1915, is hereby amended by adding after line 10 thereof the following:

“For checking survey and map on the ground, Fifteen Dollars (\$15.00).

For approving sub-division of registered land, and checking survey and map thereof on the ground, Ten Dollars (\$10.00).

For each instrument affecting a title not reported in applicant's filed abstract of title, Two Dollars (\$2.00).”

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 62. Land Registration.

Act 63. Sale of Firearms to Minors.

ACT 62

AN ACT

TO AMEND SECTION 3157 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO LAND REGISTRATION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3157 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto the following:

“The applicant shall also file with the application a complete abstract of title of the land upon forms furnished by the court and in accordance with rules laid down by the court.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 63

AN ACT

TO AMEND SECTION 4074 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE SALE OF FIREARMS TO MINORS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 4074 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 4074. Prohibited, when. It shall be unlawful for any person to sell firearms, cartridges, other ammunitions or

Act 63. Sale of Firearms to Minors.

Act 64. Garnishment of Wages.

giant powder to any minor who has not attained the age of sixteen years."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Amd. Act. 164 S. L. 1915

Amd. Act. 102 S. L. 1915

ACT 64

AN ACT.

RELATING TO GARNISHMENT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That whenever any judgment debtor whose salary, stipend, wages, annuity, or pension shall have been garnished under the provisions of Section 2803 of the Revised Laws of Hawaii, 1915, shall have been sequestered as therein provided, and twenty-five per cent. (25%) of such salary, stipend, wages, annuity, or pension shall, by virtue of the provisions of Section 2804 of the Revised Laws of Hawaii, 1915, be directed to be paid by the garnishee to the judgment creditor, and the judgment debtor shall have left the employment of the garnishee before the full amount of the judgment due from the judgment debtor shall have been paid to the judgment creditor, and shall have entered the employment of some person, firm, association or corporation other than the original garnishee, then and in that event any salary, stipend, wages, annuity, or pension due the said judgment debtor from any person, firm, association or corporation other than the original garnishee, may

Act 64. Garnishment of Wages.

be sequestered upon the filing by the judgment creditor with such person, firm, association or corporation other than the original garnishee, of a certified copy of the judgment rendered against such judgment debtor, together with a certificate from the clerk of the court in which such judgment has been rendered, showing the amount remaining unpaid on account of said judgment. Upon the filing of a certified copy of said judgment and a certificate showing the amount due and unpaid, it shall be incumbent upon such person, firm, association or corporation other than the original garnishee, to pay to the judgment creditor a sum equal to twenty-five per cent. (25%) of such salary, stipend, wages, annuity, or pension, from week to week or from month to month, until the balance due such judgment creditor, with legal interest thereon, shall be fully paid, or until such judgment debtor shall quit the service and dissolve his relation to the said person, firm, association or corporation other than the original garnishee.

SECTION 2. The provisions hereof requiring any person, firm, association or corporation other than the original garnishee, to pay a sum equal to twenty-five per cent. (25%) of such salary, stipend, wages, annuity, or pension, from week to week or from month to month, until the balance due such judgment creditor, with legal interest thereon, shall be fully paid, shall extend to successive persons, firms, associations or corporations other than the original garnishee, employing said judgment debtor, until the said judgment debt has been fully discharged.

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 65. Insurance by Unlicensed Companies.

ACT 65

AN ACT

TO AMEND CHAPTER 183 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO INSURANCE BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 3349A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Chapter 183 of the Revised Laws of Hawaii of 1915, is hereby amended by adding thereto a new section to be known as Section 3349A, to read as follows:

“Section 3349A. Statement of insurance policies from unlicensed company. Fee, tax and penalty. All persons, individuals, firms, companies or corporations obtaining insurance on property situate in the Territory owned by individuals or firms resident in the Territory or corporations incorporated under the laws of this Territory against fire, from companies, associations, firms or corporations not authorized to transact business in this Territory, shall file with the insurance commissioner of the Territory a statement or declaration setting forth the name of the company, number of policy, amount of insurance, rate, premium and description of property, shall be required to pay a tax thereon of five per centum of the premium paid on such policies to the said insurance commissioner; and shall further pay a fee to said commissioner of one dollar (\$1.00) on each policy for making a record of the said statement or declaration, which record shall be kept for the private information of the insurance department of this Territory, and shall not be a public record.

Any person, individual or corporation violating any of the terms of the above section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), or imprisonment in jail for a period of not

Act 65. Insurance by Unlicensed Companies.

Act 66. Fishing with Explosives.

less than one month nor more than six months, in the discretion of the court."

SECTION 2. This Act shall take effect upon its approval.

Approved this 8th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 66

AN ACT

TO AMEND SECTION 624 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO FISHING WITH EXPLOSIVES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 624 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 624. Penalty. Whoever violates the provision of Section 622 shall be punished by a fine not exceeding Two Hundred and Fifty Dollars (\$250.00) nor less than Fifty Dollars (\$50.00), or by imprisonment not exceeding six months, or both, in the discretion of the Court. One-half of the fine imposed, when collected, shall be paid to the person or persons giving the information leading to the arrest of the person convicted."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 9th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 67. Bonds of Municipal Officers.

ACT 67

AN ACT

RELATING TO BONDS OF OFFICIALS, DEPUTIES, ASSISTANTS, CLERKS, OR EMPLOYEES OF ANY COUNTY, CITY AND COUNTY OR MUNICIPALITY, AND AMENDING AND REPEALING CERTAIN SECTIONS OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO SUCH BONDS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Every bond required to be given by any officer, deputy, assistant, clerk, or employee, in any department, bureau, office or service, of any county or city and county, or municipality of the Territory of Hawaii, shall be made payable to the county, or city and county, or municipality, as the case may be, and shall be substantially in the following form:

KNOW ALL MEN BY THESE PRESENTS: That we (name of obligor) of (place of residence) as principal, and (names of sureties) of (place or places of residence) as sureties, are held and firmly bound unto the (name of county, city and county, or municipality) in the sum ofdollars (\$.....), lawful money of the United States of America, for the payment of which, well and truly to be made, we do firmly bind ourselves, our heirs, executors and administrators jointly and severally by these presents.

Signed at....., this....day of..... 19...

The condition of this obligation is such that

WHEREAS, the above bounden (name of obligor) was on the.....day of....., 19..., appointed or employed as (name of office, appointment, employment or position) of the (name of county, city and county, or municipality).

Act 67. Bonds of Municipal Officers.

NOW THEREFORE, if the said (name of officer, appointee or employee) shall faithfully perform all the duties of his office, appointment, position or employment which are now or may hereafter be required, prescribed or defined by law or by any departmental rule or regulation made under the express or implied authority of any statute, or by any order, direction or command of the head of the department, bureau, office or service in which said obligor is engaged or employed, and all duties and acts undertaken, assumed or performed by said obligor by virtue or color of his office, appointment, employment or position, and shall safely keep, promptly pay over to those legally entitled thereto, and faithfully account for all moneys which may come into his possession or control by reason of his undertaking, assuming, performing or doing any of the aforesaid duties or acts, then this obligation shall be void; otherwise it shall be and remain in full force and virtue and may be enforced in any manner or by any proceedings authorized by law.

(Principal)

(Surety)

(Surety)

Territory of Hawaii }
 City and County of } ss.

(Names of sureties) being duly sworn, depose and say: That they are residents and freeholders within the Territory of Hawaii, and are worth in the aggregate in real property situate in said Territory the amount of the foregoing obligation over and above all sums for which they are already liable.

(Signature)

(Signature)

Act 67. Bonds of Municipal Officers.

Subscribed and sworn to before me

this.....day of.....19...

(Signature of officer administering oath)

Approved:

(Signature)

When the surety on any such bond is a corporation, this form, with appropriate changes, shall be used, and no justification shall be required.

SECTION 2. There shall be at least two sureties on each of such bonds, whose qualification and sufficiency shall be approved by the officer or officers whose duty it is to approve such bond, (except that the sufficiency of the bonds of the members of the several Board of Supervisors and the Mayor of the City and County of Honolulu shall be approved by a Judge of the Circuit Court having jurisdiction over or within the County or City and County, as the case may be,) and no bond shall be approved unless each of the sureties thereon is a resident freeholder within the Territory, and unless all the sureties thereon (in the aggregate) are worth in real property situate in the Territory the amount of such bond over and above all sums for which such sureties are liable. Provided, however, that a corporation, organized for the purpose of becoming surety on such bonds, authorized under the laws of the United States or of the Territory of Hawaii to act as surety, and doing business in the Territory under the provisions of the laws of the United States and of the Territory, if a foreign corporation, and of the Territory if a Hawaiian corporation, may be accepted as surety on such bonds in lieu of the personal sureties hereinbefore required whenever in the opinion of the Board Supervisors the rights of all parties in interest will be fully protected.

Act 67. Bonds of Municipal Officers.

SECTION 3. Every bond required or given under the authority of this Act shall be construed to cover all duties now or hereafter required, prescribed, or defined by any law, or by the appointment or employment of the obligor, and all duties required of him by the terms, provisions, or conditions of any law, or by his appointment, employment or position, or by any departmental rule or regulation, or by any direction, order or command of the head of the department, office, bureau or service in question, and all duties and acts undertaken, assumed or performed by the obligor, by virtue or color of his office, appointment or employment, and all such duties and acts shall be considered to have been undertaken, assumed, performed or done as the case may be by specific requirement of statute, whether the obligor undertaking, assuming, performing or doing any such duty or act, is designated, described, named in or recognized by any statute or not. No surety shall be released or relieved from liability upon any such bond by reason of the fact that the office, appointment, employment or position, held, occupied, assumed, or undertaken by the obligor is not specifically named in or recognized by any statute, or by reason of the fact that any or all of the duties or acts undertaken, assumed or performed by the obligor by virtue or color of his office, appointment, employment or position are not specifically required, defined or prescribed by any statute or departmental rule or regulation made under the express or implied authority of any statute.

No bond shall be held void for any formal defects therein.

SECTION 4. Section 1523 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 1523. Required of each officer and appointed deputy. Before entering upon the duties of his office, each county officer and each appointed deputy shall give a bond to the county conditioned for the faithful performance of the duties

Act 67. Bonds of Municipal Officers.

Act 68. Filing of Plans.

of his office. The bond of each county officer shall be in the amount in this chapter provided."

SECTION 5. Section 1670 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 1670. Required of each officer and appointed deputy. Before entering upon the duties of his office, each city and county officer and each appointed deputy shall give a bond to the city and county conditioned for the faithful performance of the duties of his office. The bond of each city and county officer shall be in the amount in this chapter provided."

SECTION 6. Sections 1524, 1526, 1528, 1530, 1671, 1673, 1675, and 1677 of the Revised Laws of Hawaii, 1915, are hereby repealed.

SECTION 7. This Act shall take effect on July 1, 1915.

Approved this 12th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 68

AN ACT.

TO AMEND SECTIONS 3083 AND 3084 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO FILING OF PLANS IN THE OFFICE OF THE REGISTRAR OF CONVEYANCES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3083 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto the following:

Act 68. Filing of Plans.

"Whenever the land platted is made up of more than one title, it shall be necessary to show all original title lines in broken lines, as follows: — — — — —.

It shall be necessary to first refer all plans to the Surveyor of the Territory who shall make a careful check of same within ten days after the receipt thereof and, if said plan is drawn in accordance with the provisions of Sections 3083, 3084 and 3085, shall endorse his approval of the plan on the face thereof, after which said plan may be filed of record."

SECTION 2. Section 3084 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

"Section 3084. A description of the land platted shall be written upon said plan, which shall clearly show the connection with the government triangulation system, and all outside corners of said tract shall be substantially marked by monuments on the ground, where practicable; provided, however, that in all cases where tracts of land are subdivided into lots, with the intention of conveying said separate lots by lot number and reference to such plat, it shall be necessary to show the true bearings and lengths of a sufficient number of principal lines, and a sufficient number of monuments shall be located on the ground so as to accurately identify each lot. At least one of said monuments shall be constructed of imperishable materials of either rock, concrete, or concrete and iron, not less than three inches in diameter and sunk in the ground to a depth of not less than two feet, and its position clearly indicated on the plan."

SECTION 3. This Act shall take effect upon its approval.

Approved this 12th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 69. Taking of Nehu and Iao.

Exp. Act 46 1917 66.

ACT 69

AN ACT

TO AMEND SECTION 632 OF THE REVISED LAWS OF HAWAII OF 1915, ENTITLED "AN ACT TO PROHIBIT THE TAKING OF NEHU AND IAO WITH NETS LONGER THAN TWELVE FEET IN THE WATERS OF THE TERRITORY OF HAWAII."

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 632 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

"Section 632. Taking of by large net prohibited. The taking or killing of fishes known as nehu and iao, by means of any draw, drag or seine net over twenty-four feet in length, in the waters of the Territory of Hawaii, excepting the waters of the Island of Oahu, now known as the City and County of Honolulu, and excepting the waters of the Island of Kauai, is hereby prohibited. Any person who shall violate the provisions of this section shall, upon conviction, be punished by a fine of not more than two hundred and fifty dollars (\$250.00), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment."

SECTION 2. This Act shall take effect upon its approval.

Approved this 12th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 70**AN ACT**

TO AMEND SECTION 2099 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO PENALTIES FOR DRIVING VEHICLES
UNDER CERTAIN CONDITIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2099 of the Revised Laws of Hawaii,
1915, is hereby amended to read as follows:

“Section 2099. Penalties. Any person who shall convey any passenger or freight for hire in any unlicensed vehicle, or who shall allow an unlicensed vehicle owned by him to be used for such purposes, or who, having a license, shall use any vehicle, harness or animal which is not in good and serviceable condition, or who shall drive a licensed vehicle without a driver's license, or who shall knowingly allow a licensed vehicle owned by him to be driven for hire by an unlicensed person, or who shall violate or fail to observe any of the requirements of Sections 2093 to 2099, inclusive, or of the rules made by the Treasurer under Section 2098, shall be fined not more than Twenty-five Dollars (\$25.00) for each violation and the license of any licensed vehicle or driver may, in the discretion of the Court, be cancelled.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 12th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 71. Licenses of Hotels, Etc.

ACT 71

AN ACT

TO AMEND SECTION 2045 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO LICENSES OF HOTELS, BOARDING HOUSES AND RESTAURANTS, ADDING A NEW SECTION TO BE KNOWN AS SECTION 2045A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2045 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 2045. Fee, hotel and boarding houses. The annual fee for a license to keep a hotel and boarding house shall be:

In the Districts of Honolulu and Hilo	\$50.00
All other places	25.00

A hotel or boarding house, under this section, shall mean a building or buildings having at least ten rooms for the accommodation of guests.”

SECTION 2. A new section is hereby added after the above section of the Revised Laws of Hawaii, 1915, to be known as Section 2045A, which section shall read as follows:

“Section 2045A. Fee for restaurants. The annual fee for a license to keep a restaurant shall be as follows:

In the Districts of Honolulu and Hilo	\$40.00
All other places	20.00

A restaurant, under this section, shall mean a building in which meals are furnished as the principal business for pay. No bed-rooms or sleeping accommodations for hire shall be allowed on the premises of such restaurant.”

Act 71. Licenses of Hotels, Etc.

Act 72. School Budget.

SECTION 3. This Act shall be in force from and after July 1, 1915.

Approved this 12th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 72

AN ACT

TO AMEND SECTION 1 OF ACT 149 OF THE SESSION LAWS OF 1913, TO FIX THE SCHOOL BUDGET FOR THE BIENNIAL PERIOD BEGINNING JULY 1, 1913, AND ENDING JUNE 30, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1 of Act 149 of the Session Laws of 1913 is hereby amended by deleting the item "Maemae\$10,000.00," and inserting in lieu thereof the following:

"Maemae	\$1,800.00
Pauoa	600.00
Kalihi-uka	600.00
Waianae	600.00
Kauluwela	3,000.00
Watertown	600.00
Hauula	300.00

To reimburse the City and County of Honolulu for the expense involved in the construction of a school carpenter shop 2,500.00."

Act 72. School Budget.

Act 73. Challenges to Jurors.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 12th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 73

AN ACT

TO AMEND SECTION 2428 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO CHALLENGES TO JURORS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That Section 2428 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 2428. Where offense punished by death or for life. Any person who is put on trial for an offense for which, if convicted thereof, such person may be punished with death or imprisonment for life, shall be allowed to challenge peremptorily twelve of the persons called as jurors, and no more; and the Territory in such cases shall be allowed to challenge peremptorily six of the persons called as jurors, and no more; Provided, however, that where there are two or more defendants jointly put on trial for such an offense each of said defendants shall be allowed six challenges only, and the Territory shall be allowed three challenges for each of such defendants.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 12th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 74

AN ACT

TO ADD A NEW SECTION TO THE REVISED LAWS OF HAWAII, 1915, TO BE KNOWN AS SECTION 3094A, RELATING TO THE DUTIES OF THE REGISTRAR OF CONVEYANCES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 3094A, to read as follows:

“Section 3094A. It shall not be lawful for the Registrar of Conveyances to record any assignment, extension, or release of mortgage of real or personal property, or a certificate of entry for the purpose of foreclosure under such mortgage, or an affidavit of foreclosure under a power contained in such mortgage, or an affidavit of entry, or an execution, order, or decree, for possession of the premises covered by such mortgage, or an assignment, extension or cancellation of lease, unless the same shall contain a reference to the book and page of the registration of the original mortgage or lease, as the case may be.

Provided, however, that this section shall not apply to any document mentioned herein executed prior to the passage of this Act; and provided, further, that this section shall not apply to any document mentioned herein which shall refer to an unrecorded mortgage or lease, if such fact be recited therein.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 75. Decisions of Federal Court.

ACT 75

AN ACT

TO PROVIDE FOR THE PUBLICATION OF THE DECISIONS OF THE
UNITED STATES DISTRICT COURT FOR HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of two thousand and five hundred dollars (\$2,500.00), or so much thereof as may be necessary, is hereby appropriated from the treasury of the Territory for the compilation and publication of not more than two hundred and fifty copies of the reports of the decisions of the United States District Court for Hawaii; provided, that the judges of said court shall assign to the Territory all right to publish, sell and distribute the decisions so published and shall prepare and furnish for such publication, free of cost, such decisions, and the syllabi thereof, to the Secretary of the Territory, who is hereby authorized to make all contracts and exercise all other powers necessary or proper for carrying out the purposes of this Act. The printing of such decisions in book form or signatures of the requisite number may be begun as soon as the secretary shall deem advisable and be continued as such decisions are furnished with their syllabi from time to time, and may be bound, together with the index, when a sufficient number of forms or signatures for binding in volume form shall have been printed; and such forms or signatures, either as part of or in addition to the two hundred and fifty copies above specified, as well as the bound volumes, may be sold and distributed by the secretary in the same manner as the Session Laws of the Territory.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 76. Witnesses before License Boards.

ACT 76

AN ACT

GRANTING TO THE BOARD OF LICENSE COMMISSIONERS POWER TO SUBPOENA AND EXAMINE WITNESSES UNDER OATH.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The board of license commissioners in each county and in the City and County of Honolulu are hereby vested with the power to subpoena and examine witnesses under oath, and to examine such of the books and records of the parties to a proceeding, hearing, or investigation as relate to the question in dispute. The circuit court of the circuit in which said board is located shall have power to enforce by proper proceeding the attendance, and testimony of witnesses, and the production and examination of books, papers and records.

SECTION 2. If any person called before said board as a witness, under subpoena or otherwise, shall refuse to answer any question or questions material to the matter pending before the board asked him by said commissioners, or shall disobey any order of the circuit court relating to the matter pending, the said board shall report the matter in writing to any circuit judge of the circuit in which said board is located, and said witness shall be cited to appear before the circuit judge and be required to show cause why he should not be punished for contempt of court, as provided by Chapter 245 of the Revised Laws of Hawaii, 1915, and be subject to all penalties in said chapter contained.

SECTION 3. False swearing before said board shall be punishable as perjury, and whenever the board is satisfied that a witness has sworn falsely in any hearing or investigation before said board, it shall report the same to the attorney of the respective county or city and county who shall prosecute said witness for perjury.

Act 76. Witnesses before License Boards.

Act 77. Hunting with Firearms.

SECTION 4. All Acts and parts of Acts inconsistent with and repugnant to this Act are hereby repealed.

SECTION 5. This Act shall take effect from and after its approval.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 77

AN ACT

TO AMEND SECTION 2026 OF THE REVISED LAWS OF HAWAII,
1915, RELATIVE TO HUNTING WITH FIREARMS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2026 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“Section 2026. Permits, issuance. The treasurer of each county or city and county is authorized and empowered to issue permits to applicants to hunt with firearms within the county or city and county of which he is treasurer, together with suitable tags showing the year and number of said permits, which tags shall be attached to the firearms while being used for hunting; provided, however, that a permit shall not be issued to any person who has been convicted of violating any of the provisions of any law for the protection of game.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 78**AN ACT**

RELATING TO ADULTERATED FOOD AND DRUGS, AMENDING SECTIONS 990, 991, 993 AND 997 OF THE REVISED LAWS OF HAWAII, 1915, AND ADDING A NEW SECTION TO BE KNOWN AS SECTION 994A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 990 of the Revised Laws of Hawaii, 1915, is hereby amended by deleting the words "or drink by man," and inserting the words "drink, confectionery or condiment by man or animals" after the word "food," so that the last clause of said section shall read as follows:

"The term 'food' as used herein shall include all articles used for food, drink, confectionery or condiment by man or animals, whether simple, mixed or compound."

SECTION 2. Section 991 of the Revised Laws of Hawaii, 1915, is hereby amended by adding after the word "produced" the following:

"Any drug or article of food shall also be deemed to be misbranded within the meaning of this chapter when in package form, if the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count; provided, however, that reasonable exemptions shall be permitted, and tolerances and also exemptions as to small packages shall be established by rules and regulations made by the Territorial Board of Health."

SECTION 3. Section 993 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto the following sentence:

"The Board of Health may also appoint deputy food commissioners or analysts."

Act 78. Adulteration of Food.

SECTION 4. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 994A, as follows:

"Section 994A. Duties of deputy food commissioners or analysts. The deputy food commissioners or analysts shall perform such duties as the food commissioner or analyst or the Board of Health may from time to time prescribe."

SECTION 5. Section 997 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 997. Powers of commissioner and deputy commissioners. The food commissioner or his deputies shall have the power in the performance of their duties to enter into any creamery, factory, restaurant, store, salesroom, storage-room, drug store or laboratory, or any place where they have reason to believe food, drink or drugs are made, prepared, sold or offered for sale, and to open any cask, tub, bottle, case or package containing or supposed to contain any article of food, drug or drink and examine or cause to be examined the contents thereof. In case any drug or article of food is found to be adulterated or misbranded within the meaning of this chapter, and the owner or person in charge thereof refuses to comply with the instructions of the food commissioner or his deputies for the proper disposal thereof, such drug or article of food shall be liable to seizure. Upon the request of the food commissioner or his deputy, made to any court having jurisdiction over such matters, the said court shall order and direct that such drug or article of food be seized and delivered into the custody of the court, and the same shall be held in such custody until a hearing has been held to determine as to whether or not it is adulterated or misbranded. If upon such hearing the court decides that the drug or article of food seized is adulterated or misbranded within the meaning of this chapter, said court shall order the same destroyed or sold, but it shall only be sold in case it is fit for food and not dangerous to health. Provided, however, that upon the payment of the costs of any such pro-

Act 78. Adulteration of Food.

Act 79. Settlement of Boundaries.

ceedings and any fine hereunder, and the execution and delivery of a good and sufficient bond conditioned that such drug or article of food will not be sold or otherwise disposed of contrary to the provisions of this chapter, the court may order the same delivered to the owner thereof."

SECTION 6. This Act shall take effect from and after the date of its approval.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 79

AN ACT

TO AMEND SECTIONS 450 AND 452 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO SETTLEMENT OF BOUNDARIES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 450 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto the following: "and shall also deposit a certified copy of the approved or adopted plan thereof in the said office of the commissioner of public lands."

SECTION 2. Section 452 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

"Section 452. Application. All owners of ahupuaas and portions of ahupuaas, ilis and portions of ilis and other denominations of lands within the Territory of Hawaii, whose lands have not been awarded by the land commissioners, patented or

Act 79. Settlement of Boundaries.

Act 80. Evidence in Land Cases.

conveyed by deed from the king or government, by boundaries decided in such award, patent or deed, may file with the commissioner of boundaries for the circuit in which the land is situated, an application to have the boundaries of said land decided and certified to by said commissioner or his successor in office. The application shall state the name of the land, the names of the adjoining land or lands, and the names of the owners of the same where known, and it shall also contain a general description, by true bearing survey, of the boundaries as claimed connected by co-ordinates to the Government Survey Triangulation System, and shall have attached thereto and made a part thereof a map or tracing which shall show all natural topographical features, permanent or other marks along said boundary lines, the bearings and distances of each course given in said description of survey, and such other data from field notes as will make it practicable to re-establish any boundary mark or point that may become lost or destroyed."

SECTION 3. This Act shall take effect upon its approval.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

See 24 Ha.

ACT 80

AN ACT

IN RELATION TO EVIDENCE OF THE COMMON SOURCE OF TITLE
IN ACTIONS OF EJECTMENT AND IN ACTIONS TO QUIET
TITLE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. In any action of ejectment or action to quiet title, if the plaintiff, or his agent or attorney will make and

Act 80. Evidence in Land Cases.

Act 81. Industrial Schools.

file an affidavit in the court in which any such action is pending, and shall serve a copy of the same on the defendant, such filing and service to be at least fifteen days before the trial, that the plaintiff claims title through a common source with the defendant and specifying such common source, it shall be sufficient for him to show title from such common source, unless the defendant or his agent or attorney shall within ten days after the filing and service of such affidavit by, or on behalf of the plaintiff, make and file in the court in which any such action is pending and serve on the plaintiff an affidavit that the defendant does not claim title through the source specified by the plaintiff in his affidavit, and particularly specifying the source through which he does claim title.

SECTION 2. This Act shall take effect and be in force from and after its passage.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 81

Am. Act. 76 S. L. 1915

AN ACT

CREATING THE BOARD OF INDUSTRIAL SCHOOLS, AND PRESCRIBING ITS POWERS AND DUTIES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That there is hereby established and created a Board for the management and control of industrial and reformatory schools in the Territory of Hawaii, which said Board shall be known as the Board of Industrial Schools.

Act 81. Industrial Schools.

✓ SECTION 2. The said Board shall be composed of seven members, six of whom shall be appointed by the Governor, in the manner prescribed in Section 80 of the Organic Act. The Judge of the Juvenile Court of the First Judicial Circuit shall be ex-officio member of the said Board; provided, however, that in case the Judge of said Juvenile Court shall refuse to act as a member of said Board, the vacancy caused by such refusal shall be filled by appointment by the Governor, in the same manner as is provided for the filling of other vacancies.

✓ SECTION 3. That at least three of the members of said Board shall be women.

SECTION 4. The members of said Board shall hold their office for the period of four years; provided, however, that on the first appointment of said Board, the Governor shall appoint three of the members of said Board for two years only, and the remaining members of said Board for four years; and that thereafter all appointments shall be for four years.

✓ SECTION 5. That the said Board shall have the entire management and control of all public industrial and reformatory schools now existing in the Territory of Hawaii, or which may hereafter be established; and like management and control of all places of detention which may be used in connection with any of said schools.

✓ SECTION 6. That all powers now vested in the Superintendent of Public Instruction and the Commissioners of Education relative to industrial and reformatory schools in the Territory of Hawaii are hereby transferred to and vested in the Board hereby created, and all duties now by law devolving upon the said Superintendent of Public Instruction and the Commissioners of Education relative to said schools, are hereby devolved upon the Board hereby created. All unexpended balances of appropriations heretofore made, the expenditure of

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which is now by law vested either in the Superintendent of Public Instruction or the Commissioners of Education, are hereby transferred to the Board hereby created, and the expenditure thereof vested in said Board.

SECTION 7. The Board hereby created shall have power to make rules and regulations not contrary to law ^{And Act 76 S. L. 1919} providing the method by which all funds appropriated for said schools shall be expended; providing for the organization of the Board, by the selection of officers thereof; and providing for the management and control of the schools and places of detention; and shall likewise have power to adopt such other rules and regulations not contrary to law as may be necessary to carry out the purposes of this Act.

SECTION 8. The members of said Board shall serve without compensation; but said members shall be entitled to reimbursement for actual expenses incurred in the performance of their duties.

SECTION 9. It shall be the duty of the Board to make annual reports to the Governor, covering the periods between the first day of January and the thirty-first day of December in each year. Such reports shall be submitted by the Governor to each session of the legislature. Said reports shall contain itemized statements of all moneys expended by the Board; of all moneys received by the Board; the persons to whom said moneys have been paid; and the purposes for which the same shall have been paid during the period covered by the report. Such reports shall contain such further information relative to the transaction of the Board, and the condition of the schools and places of detention within the jurisdiction of the Board, as shall enable the Governor to be fully advised relative to all of the transactions of the Board.

And it shall be the further duty of the Board to file with the Governor, at the times herein provided for the filing of reports,

Act 81. Industrial Schools.

Act 82. Bounty on Mongoose.

an inventory of all property belonging to the Territory used in connection with said schools or places of detention, as provided for in Chapter 19, of the Revised Laws of Hawaii, 1915.

SECTION 10. This Act shall take effect January 1st, 1916.

Approved this 13th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 82

AN ACT

TO APPROPRIATE FUNDS FOR THE PAYMENT OF A BOUNTY ON
MONGOOSE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of Two Thousand Five Hundred Dollars (\$2,500.00), or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory, to be known as the "Mongoose Fund," and is to be used for the payment of bounties on mongoose as contained in Chapter 39 of the Revised Laws of Hawaii of 1915.

SECTION 2. This Act shall take effect on the date of its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 83. Juvenile Dependents.
Act 84. Pension for H. E. Petersen.

~~Am. Act. 160 of 1917, 306.~~

ACT 83

AN ACT

TO AMEND SECTION 2197 OF THE REVISED LAWS OF HAWAII OF 1915 RELATING TO EXPENSES CIRCUIT COURTS, SUPPORT, JUVENILE DEPENDENTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2197 of the Revised Laws of Hawaii of 1915 is hereby amended—

- (1) by adding after line 22 thereof the following: "Care of Dependent Children,6,000.00"
- (2) by changing the figures "250.00" in lines 27 and 34 thereof to read: "600.00," and changing the figure "500.00" in line 41 thereof to read "600.00;" and
- (3) by adding after the line 46 thereof the following: "Support, juvenile court dependents,600.00."

SECTION 2. This Act shall take effect upon its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 84

AN ACT

MAKING AN APPROPRIATION FOR THE BENEFIT OF HENRY E. PETERSEN.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The Treasurer of the Territory of Hawaii is hereby authorized and directed to pay, upon warrants issued by

Act 84. Pension for H. E. Petersen.

Act 85. Digest of Supreme Court Reports.

the Auditor upon the approval of the Governor of the Territory, the sum of three hundred dollars or such portion thereof as may be required, to pay for all necessary treatment and operations on the eyes of Henry E. Petersen, injured on the 30th day of November 1899, while in the discharge of his duty as a Sergeant in Company "F," 1st Regiment, National Guard of Hawaii, and since said time incapacitated by reason of said injury from earning sufficient to sustain himself; and in addition thereto to pay the sum of fifty dollars each month to the said Henry E. Petersen, and to continue to do so for and during the period of two years from and after the date of the approval of this Act; sufficient moneys to make such payments are hereby appropriated out of the general revenues of the Territory.

SECTION 2. This Act shall take effect upon its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 85

AN ACT

PROVIDING FOR THE PREPARATION, PRINTING AND SALE OF A DIGEST OF THE REPORTS OF THE SUPREME COURT OF THE TERRITORY OF HAWAII, AND MAKING AN APPROPRIATION THEREFOR.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That there is hereby appropriated out of any funds in the treasury of the Territory of Hawaii not otherwise appropriated, the sum of five thousand dollars to pay for the

Act 85. Digest of Supreme Court Reports.

Act 86. Public Moneys.

preparation and printing of a Digest of the Supreme Court of the Territory of Hawaii, the said sum so appropriated to be paid out and expended on vouchers approved by the Chief Justice of the Territory of Hawaii.

SECTION 2. That the preparation, printing, distribution and sale of the Digest herein provided for, shall be under the supervision and control of the Justices of the Supreme Court of the Territory of Hawaii, who shall have and are hereby vested with the power to have the said Digest prepared, printed, distributed and sold, to determine how many copies thereof shall be printed, to authorize the delivery, without cost, and by way of exchange for other Digests, of copies thereof, to fix the price at which copies shall be sold, and to have general supervision and control of all matters connected therewith.

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 86

AN ACT

TO AMEND SECTION 1424 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE EXPENDITURES OF PUBLIC MONEY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1424 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

Act 86. Public Moneys.

Act 87. Food Fishes.

“Section 1424. Any public officer or employee who shall falsely certify or approve for payment any bill or voucher, or any claim against the Territory or any County or City and County, or who shall cause or authorize the purchase of any materials or supplies or the performance of any service or labor on behalf or for the benefit of the Territory or any County or City and County, in the absence of any appropriations, or in excess of any appropriations made for such purposes, with the intent that the materials or supplies so purchased or the service or labor so performed shall be paid for by such Territory or such County or City and County, and any Auditor who shall violate any of the provisions of this Chapter, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment for not more than one year, or by both such fine and imprisonment.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 87

Amd. Act. 84 S. L. 1919

AN ACT

Amd. Act. 23 S. L. 1921

Amd. Act. 14 1917 14

Amd. Act. 4 S. S. 1918

TO AMEND SECTION 628 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE DESTRUCTION OF FOOD FISHES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 628 of the Revised Laws of Hawaii,
1915, is hereby amended to read as follows:

Act 87. Food Fishes.

“Section 628. Prohibited, exceptions. Size of net. No person shall take, catch or kill any fish fit for food living in the waters of any sea, harbor, bay, inlet, or stream within the jurisdiction of the Territory of Hawaii, by means of any net, seine, trap, or other contrivance of whatsoever kind or description having a smaller mesh or opening than two inches stretched or one inch square, or by means of any wire fence, wire net, or wire obstruction of any size, material, or description whatsoever.

Nothing in this section contained shall prohibit the use of nets or other contrivances, except wire fences, wire nets, and wire obstructions as aforesaid, in fishing for, and the taking of, nehu, puhikii, omaka, opelu, hinalea, oama, oopukai, maiii, maomao, manini, iao, aholehole, opae, hinana, oopu-nopili, oopu-nakea, kole, iheihe, mamamo, paoo, ohua-palemo, ohua-aliko, malolo, akilolo, hahalalu, akule, piha, alaihi, uu, ahaaha, puili, alalaua, aweoweo, upapalu, puhi, uiui, maikoiko, aloiloi, aalaho, pakii, gold-fish and cat-fish. And provided, that nothing herein contained shall prohibit the catching or taking of lobsters or crawfish by use of wire netting or in any other manner.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 88. Stenographers, First Circuit Court.

ACT 88

AN ACT

RELATING TO THE APPOINTMENT, DUTIES AND COMPENSATION
OF OFFICIAL SHORTHAND REPORTERS OF THE CIRCUIT
COURT FOR THE FIRST JUDICIAL CIRCUIT OF THE TERRI-
TORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the judges of the circuit court for the first judicial circuit of the Territory of Hawaii, or a majority of them, shall have the appointment and removal of as many shorthand reporters as there are divisions of said court. Such reporters shall be sworn officers of the court and hold office during good behavior coupled with efficient discharge of their duties, one reporter to be assigned, for each term, to each division of said circuit court, and be subject to the orders of the presiding judge thereof. Provided, that, during the sickness or absence of any reporter, a reporter of another division may be required, unless objected to by the judge to whose division he may be assigned, to perform the duties of the reporter so sick or absent.

SECTION 2. The duties of each reporter shall be to attend upon the court and write down all the testimony of witnesses in shorthand, together with the proceedings and objections and exceptions of counsel, exclusive of argument, the rulings of the court, charge to the jury, and any other matter which the court may require him to report; and he may be called upon at any time during a hearing, by either party to the same or by the court, to read aloud any portion of his notes theretofore taken by him, and he may be referred to at any time by the clerk of the court for the exact language of any orders from the bench. Provided that in any hearing of probate of will or administration matter the judge may, in his discretion, order the reporter to

Act 88. Stenographers, First Circuit Court.

supply and file, without charge and within a reasonable time, a certified statement of such testimony as relates to the names, ages and genealogies of heirs; and provided, further, that the judges may, by rule of court duly promulgated, from time to time prescribe other appropriate duties for the official reporters to perform. Each reporter shall file his shorthand notes in a suitable filing-case provided for that purpose, and, when requested by either party to a cause and so directed by the court, or by the court of its own motion, must, within such reasonable time thereafter as the court may designate, furnish a certified transcript of his notes, or any portion thereof, taken in said cause, upon the payment of the fee hereinafter fixed. But the reporter may furnish a transcript of any of his notes, where the same is not intended for the purposes of appeal to the Supreme Court, upon the request of any party, without the order of the judge therefor first obtained.

SECTION 3. Each reporter of such court shall receive for his services as above designated such salary as may be appropriated from time to time, as compensation for his services in court, and may charge not exceeding fifteen cents per folio of one hundred words for original transcripts of testimony, and seven-and-a-half cents per folio of one hundred words for carbon copies thereof, when such transcripts are prepared in their regular order for the purposes of appeal to the supreme court, and not exceeding twenty cents per folio for originals and ten cents per folio for carbons when transcripts are prepared daily, during the course of a trial. The fees for transcripts ordered by a party must be paid by the party ordering the same, and no reporter shall be required to perform any such service until his fees have been paid or the amount of the estimated cost of same deposited with the clerk of the court.

Where the court shall, of its own motion, order a transcript to be prepared of the whole or any part of the testimony in a civil cause, it may, in its discretion, direct the payment of the charges

Act 88. Stenographers, First Circuit Court.

therefor, and the taxation of the same as costs, in such manner as to it may seem just. Where the attorney general, or the city and county attorney, may desire transcripts for their own official use, either original or carbon copy, the reporter may be paid for same by warrant upon the treasurer of the Territory, or the treasurer of the city and county, as the case may be.

The reporter shall provide, at his own expense, all typewriting paper and carbon paper necessary to the preparation of all such transcripts.

SECTION 4. No person shall be appointed to the position of official shorthand reporter of such court except upon satisfactory evidence of good moral character, and unless he shall be a citizen of the Territory of Hawaii, and without either (1) having had three years' experience as a court reporter, which fact shall be shown to the satisfaction of said judges, or of a majority of them, or (2) being first examined as to his competency by a committee of three persons, at least one of whom shall be a member of the bar, which committee shall be named by a judge or judges of such court. The test of competency shall be as follows: The party examined must write in the presence of the committee at the rate of at least one hundred and sixty words per minute for five consecutive minutes, upon matter not previously written by or known to him, immediately read the same back without material error, and furnish a plain and accurate transcript of the same within a reasonable time thereafter. If he pass such test satisfactorily, the applicant shall be given a written certificate of that fact by the committee, which certificate shall be signed by at least a majority of the members of the committee and shall be filed among the records of the court.

Provided, that nothing in this section contained shall operate as a bar to the appointment of a court reporter for not more than sixty days where the services of no person possessing the above-required qualifications shall be available.

Act 88. Stenographers, First Circuit Court.
Act 89. Licenses.

SECTION 5. All laws or portions of laws in conflict with this Act are hereby repealed.

SECTION 6. This Act shall take effect and be in force from and after the date of its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 89

AN ACT

FORBIDDING THE ISSUANCE OF LICENSES TO DELINQUENT TAXPAYERS, AMENDING CHAPTER 121 OF THE REVISED LAWS OF HAWAII OF 1915, BY ADDING THERETO A NEW SECTION, TO BE KNOWN AS SECTION 1965A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The Revised Laws of Hawaii of 1915 is hereby amended by adding thereto a new section, to be known as Section 1965A.

“Section 1965A. No license shall be issued by any county or city and county treasurer, within the Territory of Hawaii, unless the applicant for such license shall have filed with such Treasurer a certificate showing the payment in full of all delinquent taxes, if any shall have become delinquent, after the passage of this Act, but not including, however, any taxes delinquent prior to January 1, 1915.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 90. Property Taxes.

Amd. Act. 222 S. L. 1917

Amd. Act. 177 S. L. 1919

ACT 90

AMD ACT. 81 S. L. 1923

AN ACT

TO AMEND SECTION 1236 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO GENERAL PROPERTY TAXES, BY ADDING THERETO A NEW SUBDIVISION TO BE KNOWN AS "3A," AND BY AMENDING SUBDIVISION 5 THEREOF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new paragraph is hereby added to Section 1236 of the Revised Laws of Hawaii of 1915 to be known as Subdivision 3A, and to read as follows:

"3A. A statement showing the balance unexpended and uncontracted for remaining at the end of the preceding calendar year from the amount collected during such year for school buildings and grounds in accordance with the provisions of the biennial school budget then operative."

SECTION 2. Subdivision 5 of Section 1236 of the Revised Laws of Hawaii of 1915 is hereby amended by adding after the word "section" in line 40 the following: "less the amount reported under the provisions of subdivision 3a of this Section, also," so that said Subdivision 5 shall read as follows:

"5. The treasurer of the Territory shall similarly prepare and transmit to the assessor an estimate of the amount, if any, payable to or retainable by the Territory out of the proceeds of this tax during such year in respect of such county or city and county for school, interest, sinking fund and other purposes, including the cost of assessing and collecting taxes in such county or city and county. The amount for school purposes, under this subdivision, shall be an amount which shall bear the same ratio to one-half of the amount specified for all school purposes in said biennial budget, plus the amount estimated to be required for that year in accordance with the salary schedule provided

Act 90. Property Taxes.

for in the chapter referred to in Subdivision 4 of this section, less the amount reported under the provisions of Subdivision 3A of this section, also less the amount estimated for school buildings and grounds under said Subdivision 4, and less the amount of school taxes (provided for in Section 1225), collected during the preceding year, that the aggregate value of property in such county or city and county as assessed for the purposes of this tax during the preceding year bears to the aggregate value of property in the Territory, as similarly assessed, exclusive of the property mentioned in the proviso of this section.

The assessor shall thereupon estimate the rate per cent. at which the property, subject to be taxed under this section for the benefit of such county or city and county, shall be taxed in order to yield, during that year, the amount so estimated to be required for the purposes specified in each of the above Subdivisions 1, 2, 3, 4 and 5 of this section. In estimating such rates the aggregate value of property, as assessed for the purposes of this tax for the preceding year, shall be taken as a basis. If the rate so estimated for the purposes specified in Subdivision 1 shall exceed one-half of one per cent., it shall be reduced to one-half of one per cent. If the rate so estimated for the purposes specified in Subdivision 2 shall be such that the sum of that rate and the rate estimated for the purposes specified in Subdivision 1 shall exceed two-thirds of one per cent., it shall be reduced so that such sum shall be two-thirds of one per cent. If the estimates of the amount required for the purposes specified in Subdivisions 1 and 2 shall not be transmitted to the assessor on or before the last day of January in that year, the assessor shall estimate the rate for the purposes specified in Subdivision 1 at one-half of one per cent., and the rate for the purposes specified in Subdivision 2 at one-sixth of one per cent. The sum of the rates so finally estimated or determined, for the purposes specified in said five subdivi-

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Act 91. Honolulu Charter Convention.

sions, shall be the rate at which property shall be taxed for that year under this section in the taxation division in which such county or city and county is included.

Provided, however, that all real property and all personal property within the Territory, (not specifically taxed or exempted), which is used or operated in or in connection with the business of transmitting intelligence by electricity or otherwise, or transporting passengers, mail or freight from one island to another, or to vessels at sea or to other lands, shall be subject to a tax each year, at the rate of the general property tax in the City and County of Honolulu for that year, upon the full cash value thereof, for the sole benefit of the Territory, and that all taxes, if any, collected in respect of persons or property in the County of Kalawao shall be for the sole benefit of the Territory."

SECTION 3. This Act shall take effect on January 1, A. D. 1916.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 91

AN ACT

PROVIDING FOR A CHARTER CONVENTION TO PREPARE A NEW CHARTER OR ACT PROVIDING FOR THE GOVERNMENT OF THE CITY AND COUNTY OF HONOLULU, AND PROVIDING FOR THE ELECTION OF THE MEMBERS THEREOF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A convention, to be designated as a Charter Convention, is hereby created and authorized to meet in Hono-

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lulu, City and County of Honolulu, for the purpose of preparing a new charter or municipal act for the government of said city and county. Such convention shall consist of sixty-four (64) members who shall be elected in the manner hereinafter provided, and who shall serve without compensation.

SECTION 2. The convention shall meet on the first Tuesday of September, 1915, and shall continue in session not longer than sixty days, excluding Sundays and holidays. It shall be the duty of the convention to prepare in complete form such charter or act to provide for the government of the City and County of Honolulu as shall be deemed best suited to its needs and adapted to its conditions, and upon completion to transmit the same properly authenticated by the certificate of the chairman and clerk, together with the records of its proceedings, to the Secretary of Hawaii for submission to the Legislature of the Territory at the Regular Session of 1917.

SECTION 3. Upon convening the convention shall organize by the selection of a chairman and clerk and shall conduct its proceedings in like manner to the proceedings of any legislature body. All sessions shall be public, and all records thereof shall also be public. The convention may adopt rules for its own guidance and may employ such assistants as it may deem necessary.

SECTION 4. For the purpose of representation in the convention, the electors in the several election precincts in the City and County of Honolulu, as such precincts are now constituted, shall be entitled to elect members of the convention as follows:

Fourth Representative District—

In the first precinct	three (3);
In the second precinct	three (3);
In the third precinct	three (3);
In the fourth precinct	three (3);
In the fifth precinct	three (3);

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In the sixth precinct	three (3);
In the seventh precinct	two (2);
In the eighth precinct	three (3);
In the ninth precinct	four (4);
In the tenth precinct	one (1);
In the eleventh precinct	one (1);
In the twelfth precinct	three (3);

Fifth Representative District—

In the first precinct	one (1);
In the second precinct	one (1);
In the third precinct	one (1);
In the fourth precinct	one (1);
In the fifth precinct	two (2);
In the sixth precinct	one (1);
In the seventh precinct	one (1);
In the eighth precinct	two (2);
In the ninth precinct	four (4);
In the tenth precinct	two (2);
In the eleventh precinct	four (4);
In the twelfth precinct	one (1);
In the thirteenth precinct	three (3);
In the fourteenth precinct	four (4);
In the fifteenth precinct	two (2);
In the sixteenth precinct	one (1);
In the seventeenth precinct	one (1).

SECTION 5. The election of members of the convention shall be held on the sixth day of July, 1915. The general laws, other than primary law, Act 151, Laws of 1913, and rules governing the election of city and county officers shall apply wherever applicable and except as is otherwise herein provided.

SECTION 6. A proclamation for the election of members of the convention shall be issued by the mayor of the city and county, copies of which shall transmitted to the several inspec-

Act 91. Honolulu Charter Convention.

tors of election for each precinct throughout the city and county, and such proclamation shall be posted in the manner required by law with respect to other election proclamations.

SECTION 7. No person shall be permitted to stand as a candidate for election to the convention unless he shall be nominated and so requested in writing, signed by not less than ten (10) duly qualified electors of the precinct in which he is requested to be a candidate. Such nomination shall be deposited with the clerk of the city and county not less than twenty (20) days before the date of the election. The clerk of the city and county shall endorse upon each nomination the date, hour and minute when it was received in his office.

SECTION 8. The polling places established and used at the last general city and county election shall be the polling places for the election of members of the convention, and it shall be the duty of the Secretary of the Territory to provide such polling places but at the cost of the city and county. Ballot boxes shall be furnished by the clerk of the city and county.

SECTION 9. There shall be three inspectors of election for each precinct, who shall be appointed by the mayor as far as practicable from opposing political parties.

SECTION 10. The city and county clerk shall prepare the ballots to be used at the election and shall furnish the same to the several inspectors of election at least two days prior to the election. The ballots shall be of green paper and their general form, arrangement, number and style of printing shall be as prescribed by law for ballots for Representatives, except that no party name, designation or mark of any sort shall appear thereon.

SECTION 11. The returns of the election, together with the ballots, lists and records concerning the election, shall be transmitted to the clerk of the city and county and shall be preserved

Act 91. Honolulu Charter Convention.

by him until the close of the Session of the Legislature of 1917.

SECTION 12. Upon receiving the returns of election, the clerk of the city and county shall immediately tabulate the same and ascertain the result of the election; such tabulation shall be made in the presence of any candidate who may wish to be present. The person or persons, as the case may be, receiving the highest number of votes in the several precincts shall be declared elected, and the clerk shall deliver to such persons certificates of election.

SECTION 13. All expenses of the election shall be borne by the city and county.

SECTION 14. If it shall appear by the returns that there has been a failure of election in any precinct by reason of a tie vote between candidates, the clerk of the city and county shall determine to whom the certificate or certificates of election shall be issued by lot drawn in the presence of such tied candidates.

SECTION 15. In the event of a vacancy among the members of the convention caused by death or disability, such vacancy shall remain unfilled.

SECTION 16. All questions as to the validity of any ballot cast at the election shall be decided immediately and the opinion of the majority of the inspectors of election for each precinct shall be final and binding, subject to revision by the supreme court of the Territory on petition of any candidate directly interested in the same manner, for the same causes and with the same procedure now provided by law for like petitions with respect to general elections of city and county officers; said supreme court being hereby given the same jurisdiction and authority to hear and determine such petitions as it possesses with respect to like petitions presented in connection with such general elections.

SECTION 17. All persons duly registered as voters in the general county register of the city and county on or before May

Act 91. Honolulu Charter Convention.

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31, 1915, shall be qualified to vote at the election herein provided for. It shall be the duty of the city and county clerk to furnish to the inspectors of election of each precinct at least two days prior to the date of election a list of the registered voters of such precinct.

SECTION 18. The term "city and county," wherever in this Act appearing, shall mean the City and County of Honolulu.

SECTION 19. This Act shall take effect upon its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 92

AN ACT

Am. Act... 40 1079 53

TO AMEND SECTIONS 287 AND 288 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE PENALTY FOR NON-ATTENDANCE AT SCHOOL.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 287 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 287. Penalty. If any child of school age shall persist in absenting himself or herself from school, any district magistrate shall, upon a proper complaint being made by the school teacher or any other officer or agent of the department, or any deputy sheriff, or police officer, or any other person, cause such child, and the father or mother, guardian or other person having the charge of such child, to be summoned to ap-

Act 92. Truancy.

pear before such magistrate, and upon its being proved that the person responsible for the child had not used proper diligence to enforce the child's regular attendance at school, such responsible party shall be punished by a fine in a sum not less than five (5) and not exceeding fifty dollars (\$50.00), or by imprisonment for not more than two months. In case the child shall prove the offending party, the magistrate shall send him or her to a reformatory or industrial school for a term of not less than six months or more than two years, or otherwise sentence him or her to a fine not exceeding five dollars (\$5.00); provided, however, that the provisions of this section shall not apply to any child not liable to compulsory attendance at school."

SECTION 2. Section 288 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 288. Duties of deputy sheriff. It shall be the duty of each deputy sheriff, or such police officers as he shall designate, to not less than once each week visit each public school within the district of which he is deputy sheriff, to ascertain from the teacher or other officer or agent of the department of public instruction in charge thereof what children, if any, of school age persist in absenting themselves from such school. It shall further be the duty of such deputy sheriffs and police officers to require all children under school age, in accordance with the provisions of Section 287, to attend school whether or not complaint is made by any teacher or other officer or agent of said department of public instruction."

SECTION 3. This Act shall take effect upon its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 93**AN ACT**

TO AMEND SECTION 1 OF ACT 149 OF THE SESSION LAWS OF 1913, TO FIX THE SCHOOL BUDGET OF THE BIENNIAL PERIOD BEGINNING JULY 1, 1913, AND ENDING JUNE 30, 1915, AS AMENDED BY ACT 29 OF THE SESSION LAWS OF 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1 of Act 149 of the Session Laws of 1913, to fix the school budget for the biennial period beginning July 1, 1913, and ending June 30, 1915, as amended by Act 29 of the Session Laws of 1915, is hereby amended as follows:

After the words "manual training and vocational guidance," add the following: "including salaries, equipment, supplies and material for school equipment," and delete the words and figures "manual training, equipment, supplies and incidentals, \$25,000," and "vocational instructors (at least one for each county), \$20,000."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 94. Insane Females.

ACT 94

AN ACT

TO AMEND CHAPTER 82 OF THE REVISED LAWS OF HAWAII, 1915, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 1079A, RELATING TO THE TRANSPORTATION OF FEMALES TO THE INSANE ASYLUM.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 1079A, and to read as follows:

“Section 1079A. Female, transportation, charge upon. Whenever any female shall be committed to the insane asylum from any island in the Territory of Hawaii, other than Oahu, such female shall be accompanied during such trip from such island to the asylum by her husband, or by a female friend, relative or nurse. Such attendant shall be designated by the committing judge or magistrate and may, by such judge or magistrate, be given sole charge of such female during the trip.

The necessary expenses of such attendant shall be a charge upon the county or city and county from which the female was committed, and shall be collected by the commissioners of insanity in the same manner as is provided in Section 1084.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 15th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 95

AN ACT

TO AMEND SECTION 138 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO BONDS OF PUBLIC OFFICERS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 138 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“Section 138. Of heads of departments. The attorney general, treasurer, commissioner of public lands, superintendent of public works, superintendent of public instruction, auditor, deputy auditor, surveyor, high sheriff, and president of the board of health, before entering upon the duties of their respective offices, shall each be required to furnish a bond to the Territory of Hawaii in the amount required by law, and conditioned for the faithful performance of all their official duties. There shall be at least two sureties on each of such bonds, who shall be examined on oath by the governor as to their qualifications and sufficiency. No bond shall be approved unless each of the sureties thereon is a resident and freeholder within the Territory, and unless all the sureties thereon (in the aggregate) are worth in real property situate in the Territory the amount of such bond over and above all sums for which such sureties are liable. Provided, however, that a corporation, organized for the purpose of becoming surety on such bonds, authorized under the laws of the United States or of the Territory of Hawaii to act as surety, and doing business in the Territory under the provisions of the laws of the United States and of the Territory, if a foreign corporation, and under the laws of the Territory, if a Hawaiian corporation, may be accepted as surety on such bonds in lieu of the personal sureties hereinbefore required whenever in the opinion of the officer whose

Act 95. Bonds of Public Officers.

Act 96. Abatement of Nuisances.

duty it is to approve such bonds the rights of all parties in interest will thereby be fully protected.”

SECTION 2. This Act shall take effect from its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 96

AN ACT

RELATING TO ABATEMENT OF NUISANCES, AMENDING SECTION 930 OF THE REVISED LAWS OF HAWAII, 1915, AND ADDING A NEW SECTION THERETO TO BE KNOWN AS SECTION 931A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 930 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 930. The Board of Health and its Agents shall examine into all nuisances, foul or noxious odors, gases or vapors, water in which mosquito larvae breed, sources of filth and all causes of sickness or disease, on shore, and in any vessel, which may be known to them or brought to their attention, which in their opinion are dangerous or injurious to health, and into any and all conditions created or existing which cause or tend to cause sickness or disease or be dangerous or injurious to health, and shall cause the same to be abated, destroyed, removed or prevented.”

SECTION 2. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 931a, said section to read as follows:

Act 96. Abatement of Nuisances.

Act 97. Insanitary Lands.

“Section 931a. To enable the Board of Health to carry out the provisions of Chapter 66, of the Revised Laws of Hawaii, 1915, the sum of One Thousand Dollars (\$1,000.00) is hereby appropriated as a special fund to be deposited in the Territorial Treasury and to be a continual deposit, subject to the control of the Board of Health through its President, to be used from time to time in removing ‘any such nuisance, foul or noxious odors, gases or vapors, water in which mosquito larvae breed, sources of filth, or cause of sickness or disease’ as contemplated or required by this Chapter. All moneys withdrawn from such fund for such purposes shall be reimbursed or restored thereto, so far as may be out of any moneys repaid or collected under the provisions of this Chapter and shall then be available for further use.”

SECTION 3. This Act shall take effect upon its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 97

AN ACT

TO AMEND SECTION 987 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE SANITARY CONDITION OF LAND.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 987, Revised Laws of Hawaii, 1915, is hereby amended by deleting the words “and of Chapter 66” wherever they occur in this Section.

Act 97. Insanitary Lands.

Act 98. Tuberculosis.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 98

AN ACT

TO AMEND SUCH PORTION OF SECTION 955, REVISED LAWS OF HAWAII, 1915, AS RELATES TO THE PENALTY FOR VIOLATING SAID SECTION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 955, Revised Laws of Hawaii, 1915, is hereby amended by striking out the last sentence thereof and substituting therefor the following:

“Any person failing or refusing to comply with orders or regulations of the Board of Health or its agent, requiring him to cease to commit such offense, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not more than Five Dollars (\$5.00), and upon a second conviction for a violation of the provisions of this section, such person, upon petition of the Board of Health, may be committed, after due notice and a full hearing, by any court having jurisdiction to hear such cases, to any hospital for the care of persons suffering from tuberculosis or to any other place or institution where proper care will be provided and where the necessary precautions will be taken to prevent the spread of tuberculosis. After commitment, such person may be discharged by said court upon the recommendation of the Board of Health.

Act 98. Tuberculosis.

Act 99. Ne Exeat.

Any person so committed to a hospital or institution who fails to remain there, or who neglects or refuses to obey the rules and regulations of such hospital or institution, may, if necessary for the safety of others, be isolated or separated from other persons and restrained from leaving the hospital or institution."

SECTION 2. This Act shall take effect upon its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 99

AN ACT

TO ABOLISH THE WRIT OF NE EXEAT WITHIN THE TERRITORY
OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That no circuit judge, at chambers, or any other judge, or court, within the Territory of Hawaii, shall have power to issue writs of ne exeat.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 100. Wife Desertion.

See ³ Ha. 265 ACT 100

AN ACT

RELATING TO DESERTION AND NON-SUPPORT OF WIFE OR CHILDREN, AMENDING SECTION 2970 OF THE REVISED LAWS OF HAWAII, 1915, AND REPEALING SECTIONS 2972, 2973, 2974, 2975, AND 2976 OF SAID REVISED LAWS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2970 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto the following proviso:

Provided, however, that instead of imposing the sentence hereinbefore provided the Court may release the defendant under suspended sentence for such period as shall be fixed by said Court and under such terms as shall be fixed by said Court as to the payment weekly or otherwise of money for the support of such wife or child and as to giving security for such payments and for the appearance of such defendant at such time or times as the Court shall direct. The terms so fixed by said Court shall be subject to change or additional security at any time.

SECTION 2. Sections 2972, 2973, 2974, 2975 and 2976 of the Revised Laws of Hawaii, 1915, are hereby repealed.

SECTION 3. This Act shall take effect from the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 101. Inventories of Trust Estates.

ACT 101

AN ACT

TO REQUIRE GUARDIANS AND TRUSTEES TO FILE ANNUAL INVENTORIES AND ACCOUNTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Every guardian and trustee acting under appointment of any court (or judge,) or under any appointment requiring the approval of any court or judge, shall file annually with the court or judge so appointing him or approving his appointment an account showing in detail all his receipts and disbursements, together with a full and detailed inventory of all property in his possession or under his control. If any such guardian or trustee shall fail to file his account, it shall be the duty of the clerk of the circuit court in which such guardian or trustee is required to file such account, to notify him promptly of such failure, and, if within thirty days of such notification, the guardian or trustee fails to file his account, he shall be cited to appear before the Circuit Judge of said circuit and be required to show cause why he should not be punished for contempt of court as provided by Chapter 245 of the Revised Laws of Hawaii 1915 and he shall be subject to all of the penalties in said Chapter provided. The Circuit Judge may also, in his discretion, remove any such guardian or trustee.

SECTION 2. This Act shall take effect upon its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 102. Care of Dependents.

ACT 102

AN ACT

TO AMEND SECTION 2289 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE CARE OF DEPENDENTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2289 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 2289. When any child under the age of eighteen years shall be found to be a dependent child, the judge may make an order committing the child, during a term not to exceed its minority, to the care of some suitable institution, or to the care of some reputable citizen of good moral character, or to the care of an industrial school provided by law. The judge shall, when the health or condition of the child shall require, cause the child to be placed in a public hospital or institution for treatment. Any private institution caring for such child shall be entitled to receive as payment therefor not to exceed three dollars per week, payable by the County or City and County from which such child is sent from such funds as shall be authorized by the Legislature of the Territory of Hawaii for such purpose.

SECTION 2. This Act shall take effect from and after its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 103**AN ACT**

TO AMEND SECTION 4072 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO THE OFFENSE OF CARRYING DEADLY WEAPONS AND PRESCRIBING PUNISHMENT THEREFOR.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 4072 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

“Section 4072. Persons not authorized; punishment. Any person not authorized by law, who shall carry, or be found armed with any bowie-knife, sword-cane, pistol, airgun, slung-shot, or other deadly weapon, shall, unless good cause be shown for having such dangerous weapon, be punished by a fine not exceeding two hundred and fifty dollars, or by imprisonment for a term not to exceed six months; and any such person may be immediately arrested without warrant by the high sheriff, or any sheriff, policeman, or other officer or person.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 104. Corporation Exhibits.

Act 105. District Court Procedure.

Amd. Act. 17 S. L. 1921

ACT 104

AN ACT

AMENDING SECTION 3304 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO THE ANNUAL EXHIBIT OF COR-
PORATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The first sentence of Section 3304 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

“Section 3304. Annual exhibit. Every corporation not eleemosynary, religious, literary, educational or promoting solely amateur athletics, shall annually present a full and accurate exhibit of the state of its affairs to the treasurer, as of December thirty-first of each year.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

See 25 Ha. 577
Amd. Act. 40 S. L. 1921

ACT 105

AN ACT ✓

Amd Act. 192 S. L. 1923

TO AMEND SECTION 2337 OF THE REVISED LAWS OF HAWAII
1915, RELATING TO CIVIL PROCEDURE IN DISTRICT
COURTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2337 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

Act 105. District Court Procedure.

Act 106. Relief of the Indigent.

"Section 2337. Original suit. The original writ in all civil actions begun before a district court, shall be a summons, a writ of replevin, a capias or an attachment, and shall be signed by the magistrate of such court, or by the duly appointed clerk of such court, and shall contain a notification to the defendant that if he fails to attend at the time and place of trial designated in the writ, judgment will be rendered upon default according to the evidence taken ex parte. All original writs shall be returnable not less than one nor more than six days from the date of issue."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 106

AN ACT

TO AMEND CHAPTER 45 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO IMMIGRATION, LABOR AND STATISTICS, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 646A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Chapter 45 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto a new section to be known as Section 646A, reading as follows:

"Section 646A. The Board may from time to time set aside and expend such sum or sums of money from its appro-

Act 106. Relief of the Indigent.

Act 107. Laundry Licenses.

priation, as it may deem best for the temporary relief of indigent, suffering and helpless persons, which sum or sums shall be administered by the Commissioner of Immigration, Labor and Statistics under the advice and approval of the Governor."

SECTION 2. This Act shall take effect upon its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 107

AN ACT

TO AMEND SECTION 2042 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO LAUNDRY, ETC.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That Section 2042 of the Revised Laws of Hawaii, 1915, be and the same is hereby amended so as to read as follows:

"Section 2042. Conditions, fee. The treasurer may issue to any person, firm or corporation a license to maintain and operate a laundry, dyeing or cleaning or dyeing and cleaning works upon such conditions as to location and otherwise as shall be set forth in the license. Any such license shall not be issued except upon a certificate of the Board of Health setting forth that the location at which it is proposed to operate such laundry, dyeing or cleaning or dyeing and cleaning works is suitable for the purpose. The annual fee for a license for either a laundry, dyeing or cleaning or dyeing and cleaning works shall be twenty-five dollars (\$25.00). Provided, how-

Act 107. Laundry Licenses.

Act 108. Pay of Jurors.

ever, that the provisions of this section shall not apply to any laundries operated for profit, where not more than two persons are engaged, including the proprietor or proprietors of such laundry, and conducted in compliance with the rules and regulations of the Board of Health; and provided, further, that this section shall not apply to laundries conducted in compliance with the rules and regulations of the Board of Health by persons in their own homes for members of their household only."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 108

Amd. Act. 128 S. L. 1919

AN ACT

Amd. Act. 54 1917 77

TO AMEND SECTION 2430 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE PAY OF JURORS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2430 of the Revised Laws of Hawaii,
1915, is hereby amended to read as follows:

"Section 2430. Amount. The pay of jurors in courts of record shall be, for actual attendance at court, and for the time necessarily occupied in going to and returning from the same, three dollars (\$3.00) a day during such attendance; provided, however, that jurors residing ten miles or more from

Act 108. Pay of Jurors.

Act 109. Pledges of Unissued Corporate Stock.

the court shall be paid three dollars (\$3.00) per day for each day that they shall report in person to the clerk of the court, and for the distance necessarily travelled from their residence in going to and returning from said court by the shortest practicable route, ten cents a mile."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 109

AN ACT

TO AMEND CHAPTER 181 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO CORPORATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Chapter 181 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto a new section to be known as Section 3298A, as follows:

"Section 3298A. Power prohibited; pledge of stock. No corporation created under the laws of the Territory of Hawaii shall pledge or hypothecate any of the shares of its unissued capital stock or in any manner dispose of the same as collateral security, and any such attempted pledge, hypothecation or disposition shall be void and of no effect."

SECTION 2. This Act shall take effect upon its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 110. Payment of Territorial Current Indebtedness.**ACT 110****AN ACT**

TO PERMIT TEMPORARY USE OF THE SPECIAL FUND CREATED
BY SECTION 987 OF THE REVISED LAWS OF HAWAII, 1915,
FOR THE PAYMENT OF CURRENT INDEBTEDNESS OF THE
TERRITORY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The Treasurer of the Territory, with the consent of the Governor, may make temporary use of any portion of the special fund created by Section 987 of the Revised Laws of Hawaii, 1915, not presently needed for carrying out the provisions of Chapters 66 and 71 of said Revised Laws, for the purpose of paying warrants drawn on the treasury for current indebtedness of the Territory whenever the current cash in the Territorial treasury is not sufficient to pay the same; provided, however, that all sums so taken shall be redeposited to the credit of said special fund not more than fifteen days after the last succeeding delinquency date of the Territorial income taxes.

SECTION 2. This Act shall take effect upon its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 111. Commissioners of Deeds.

ACT 111

AN ACT

RELATING TO THE APPOINTMENT OF COMMISSIONERS IN OTHER STATES AND TERRITORIES AND FOREIGN COUNTRIES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The governor may appoint commissioners in the states and territories of the United States, and one or more commissioners in every foreign country, who shall hold office for three years from the date of their respective appointments, unless removed by the governor.

SECTION 2. A commissioner who is appointed for a state or territory of the United States shall, within three months after his appointment, take and subscribe an oath before a justice of the peace or other magistrate of the city or county where he resides, or before a clerk of a court of record within the state or territory where he resides, faithfully to perform the duties of his office, and shall cause an official seal to be prepared upon which shall appear his name, the words: "Commissioner for Hawaii," and the name of the state or territory and city or county in which he resides. A commissioner who is appointed for a foreign country shall, before performing any duty of his office, take and subscribe an oath before a judge or clerk of a court of record of the country in which he resides or before an ambassador, minister or consul of the United States appointed to reside in such country, faithfully to perform the duties of his office. In each case, a certificate of the commissioner's oath of office and his signature and an impression of his official seal shall be forthwith transmitted to and filed in the office of the Secretary of the Territory.

SECTION 3. A commissioner may, in the state, territory or country for which he is appointed, administer oaths and

Act 111. Commissioners of Deeds.

take depositions, affidavits and acknowledgments of deeds and other instruments to be used or recorded in this Territory, and the proof of such deeds, if the grantor refuses to acknowledge the same; which shall be certified by him under his official seal.

Charges made by commissioners for services rendered shall be at the rates authorized by statute for similar services rendered by notaries within the jurisdiction in which the services are performed. Duly certified records of the acts performed by a commissioner shall have the same force and effect as if performed by a notary within this Territory.

SECTION 4. Each commissioner so appointed, besides the certificate of acknowledgment endorsed upon the instrument, shall keep a record of every acknowledgment, oath, deposition and affidavit in a book of records. Each record shall set forth at least the date of acknowledgment, the parties to the instrument, the persons acknowledging, the date and some memorandum as to the nature of the instrument acknowledged; and, as to oaths, depositions, and affidavits, the name or names of the party or parties making the same, the date and nature of the instrument and date of administering the oath.

SECTION 5. The secretary shall prepare and forward to each commissioner instructions and forms in conformity to law, and a copy of the four preceding sections.

SECTION 6. This Act shall not be construed as repealing or amending any of the provisions of Chapter 175 of the Revised Laws of Hawaii, 1915.

SECTION 7. This Act shall take effect upon its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 112. Exemptions From Taxation.

Act 113. Pension for Emil de Harne.

ACT 112

AN ACT

AND ACT 187 S. 1923
 AND ACT 233 S. 1923

TO AMEND SECTION 1246 OF THE REVISED LAWS OF HAWAII, 1915, RELATIVE TO EXEMPTIONS FROM TAXATION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1246 of the Revised Laws of Hawaii, 1915, is hereby amended by adding the following new paragraphs after line 25 thereof:

“All property both real and personal belonging to and actually used by the Palama Settlement, shall be exempt from taxation.”

“All property both real and personal belonging to and actually used by the Lanakila Hale shall be exempt from taxation.”

SECTION 2. This Act shall take effect December 31, A. D. 1915.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
 Governor of the Territory of Hawaii.

ACT 113

AN ACT

MAKING APPROPRIATION FOR THE BENEFIT OF EMIL DE HARNE.

WHEREAS, Emil de Harne has retired from the position of school teacher in the Territory of Hawaii, being incapacitated by reason of ill health from further service, having filled the position of school teacher for thirty-two years; Therefore,

Act 113. Pension for Emil de Harne.
 Act 114. Teachers' Pensions.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The Treasurer of the Territory is hereby authorized and directed to pay upon warrants issued by the Auditor of the Territory, the sum of Thirty Dollars (\$30.00) each month to Emil de Harne and to continue so to do for and during the remainder of his life; such payment is hereby appropriated out of the general revenues of the Territory.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 16th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
 Governor of the Territory of Hawaii.

Amd. Act. 166 S. L. 1919
 Amd. Act. 168 S. L. 1921
 Amd. Act. 169 S. L. 1921

ACT 114

See 24 527

AN ACT

Amd. Act. 39 1917, 52
 Amd. Act. 163 S. L. 1919

TO ESTABLISH A RETIREMENT FUND FOR PENSIONING RETIRED
 TEACHERS OF THE PUBLIC SCHOOLS OF THE TERRITORY
 OF HAWAII, AND TO REGULATE THE COLLECTION, MAN-
 AGEMENT AND DISBURSEMENT THEREOF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The superintendent and the commissioners of public instruction shall constitute a board of trustees who shall have full control and management of the fund created by this Act. The superintendent shall be chairman of said board. The secretary of the department of public instruction shall be the secretary of said board and shall keep, in a separate book, a true and correct account of all the proceedings of said board. The attorney general of the Territory of Hawaii shall be the

Act 114. Teachers' Pensions.

legal adviser of said board, and shall attend to all legal matters arising out of the control and management of said fund. The treasurer of the Territory of Hawaii shall be the treasurer of said board. The auditor of the Territory of Hawaii shall audit all accounts of said fund and shall draw all warrants payable from said fund, which warrants shall be drawn only upon the order of a majority vote of said board, which order shall be certified by the chairman and secretary of the board. All pensions shall be paid in equal quarterly installments aggregating in total the amount of pension granted under this Act.

SECTION 2. The bonded government officials herein named and to whom are assigned duties to be performed in carrying out the intentions of this Act shall be liable upon their official bonds for the faithful performance of the same.

SECTION 3. There shall be set apart in the treasury of the Territory of Hawaii a special fund for the purpose of this Act which fund shall be known as the Teacher's Pension Fund and which shall consist of the following moneys with interest or income thereof:

1. Two and one-half per cent. of the school tax collected in the Territory of Hawaii. One-half of this amount, or one and a quarter per cent. of the school tax collected, shall, when paid into the treasury, be set apart semi-annually by the treasurer as a special fund for the purpose of this Act;

2. All donations, legacies and gifts which shall be made to this fund shall, when paid into the treasury, be set apart by the treasurer as a special fund for the purpose of this Act;

3. One per cent. per annum of the respective salaries paid to inspectors, principals, teachers and special teachers regularly employed in the public schools of this Territory shall, when paid into the treasury, be set apart by the treasurer as a special fund for the purpose of this Act, except that no deduction shall

Act 114. Teachers' Pensions.

be made from the salary of any of the aforesaid employees unless authorized by his or her written consent to the same;

4. All moneys which may be obtained from other sources or by means duly and legally devised by said board, or with their consent, for the increase of said fund shall, when paid into the treasury, be set apart by the treasurer as a special fund for the purpose of this Act;

5. The treasurer shall keep all funds over and above the amount required for the payment of pensions under this Act, invested in interest bearing bonds issued by the Federal Government, the Territory, or any subdivision thereof, or shall deposit same at interest in any savings bank or savings banks doing business within the Territory.

SECTION 4. The department of public instruction in making pay rolls for inspectors, principals, teachers and special teachers hereinbefore mentioned shall deduct semi-annually in the months of November and May from the salary of each of the said employees (who has so signified his consent in writing, which consent shall be deemed an application for pension), a sum equal to one-half of one per cent. of his or her annual salary, and shall certify the amount of such deductions and the names of such persons from whose salaries such deductions have been made; and such certificates shall accompany the said pay rolls to the auditor of the Territory, who shall draw a warrant for the amount of such deductions, so certified, payable to the treasurer of the Territory, who shall hold the same subject to the disposal of the said board of trustees as hereinbefore specified.

SECTION 5. The department of public instruction shall have power to retire from service any inspector, principal, teacher or special teacher who shall have served in such capacity or capacities in the schools of this Territory for an aggregate period of twenty-five years, and such person so retired shall

Act 114. Teachers' Pensions.

become a pensioner under this Act; provided twenty years of such service shall have been spent in the public schools of this Territory.

SECTION 6. Any inspector, principal, teacher or special teacher who shall have served in such capacity or capacities in the schools of this Territory, or elsewhere in the United States, for a period of thirty years, may voluntarily retire from service in the public schools and become a pensioner under this Act, provided twenty years of such service shall have been spent in the public schools of this Territory.

SECTION 7. No pension paid under this Act shall exceed forty per cent. of the annual salary of the pensioner receiving it at the time of retirement from service, nor shall any pension exceed the sum of four hundred dollars per annum; and further all pensions at all times shall be at the same rate per cent. of the salaries of the several pensioners at the time of retirement, except in cases where the pensions at that rate would exceed four hundred dollars per annum.

If the amount of money contained in this fund shall become at any time inadequate to fully carry out the provisions hereinbefore mentioned, and in case the Legislature of the Territory fails to appropriate sufficient amount to make up such deficiency, then the trustees of said fund shall then pay pro rata to the persons entitled to participate in said fund such amount as in their judgment the condition of the fund will warrant, and such payment shall be in full of all pensions then due under the provisions of this Act.

SECTION 8. No person shall become a pensioner under this Act who has not contributed to the fund hereby created an amount equal to twenty per cent. of his or her salary per annum at the time of retirement; but any such person, otherwise qualified who has been or who shall have been in the service of the department of public instruction prior to July 1, 1916,

Act 114. Teachers' Pensions.

may become a pensioner under this Act by making a cash payment to the said fund at the time of retirement of such an amount as his or her previous contributions may have fallen short of the required twenty per cent. of his or her salary per annum at the time of retirement, provided, however, that such person become within one year from July 1, 1915, an applicant for pension as specified in Section 4. Any duly qualified person on entering the service subsequent to July 1, 1916, may become an applicant for pension, but such person must become an applicant within one year of entrance, or time of service, as affecting this Act will not be counted until such person becomes an actual applicant.

SECTION 9. If at any time any inspector, principal, teacher or special teacher shall be discharged or shall retire from the service before such person would under this Act be entitled to a pension, then such person shall be paid back one-half, without interest, of the money he or she shall have contributed to this fund. Should any inspector, principal, teacher, or special teacher die before such person would under this Act be entitled to a pension, the heirs or representatives of such person shall receive one-half the amount, without interest, which shall have been paid into the said pension fund by such person.

SECTION 10. No pension shall be paid from the fund created by this Act before July 1, 1916; but any person legally entitled to become a pensioner under this Act may retire or be retired from the service before that time and shall not be deemed to have forfeited his or her right to become a pensioner under the provisions of this Act.

SECTION 11. This Act shall take effect from and after the 1st day of July, 1915.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 115. Exposition Commissioners' Expenses.

Amd. Act. ⁸⁴ S. L. 1921

ACT 115

AN ACT

TO AMEND ACT 154 OF THE SESSION LAWS OF 1913, ENTITLED:

"AN ACT TO PROVIDE FOR HAWAII'S EXHIBIT AT THE PANAMA-PACIFIC EXPOSITION, MAKING A SPECIAL APPROPRIATION FOR THE CONSTRUCTION OF A BUILDING OR THE LEASING OF SUITABLE SPACE IN ANOTHER BUILDING OR BUILDINGS TO HOUSE SUCH EXHIBIT AND FOR THE EXPENSES OF ITS INSTALLATION AND MAINTENANCE," BY ADDING THERETO A NEW SECTION TO BE KNOWN AS "SECTION 2A."

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Act 154 of the Session Laws of 1913, entitled: "An Act to provide for Hawaii's Exhibit at the Panama-Pacific Exposition, making a special appropriation for the construction of a building or the leasing of suitable space in another building or buildings to house such exhibit and for the expenses of its installation and maintenance," by adding thereto a new section to be known as "Section 2A," as follows:

"Section 2A. That no member of said Commission shall, directly or indirectly, receive any salary or compensation as such commissioner, except that the actual traveling expenses to and from the Exposition and actual living expenses while at the Exposition of any Commissioner may be paid out of the fund herein upon the submission to, and approval of, vouchers therefor by the Auditor of the Territory of Hawaii; and provided that the total of such expenses incurred, or to be incurred, by said Commissioners shall in no case exceed the total sum of four thousand dollars."

SECTION 2. This Act shall take effect upon its approval.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 116

AN ACT

TO AMEND SECTION 1321 OF THE REVISED LAWS OF HAWAII 1915, RELATING TO THE USE OF THE ADDITIONAL ONE PER CENT INCOME TAX, HERETOFORE KNOWN AS THE "CONSERVATION TAX."

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1321 of the Revised Laws of Hawaii 1915, is hereby amended to read as follows:

"Section 1321. Tax used for what. All amounts collected from time to time under the provisions of this chapter, and all funds in the treasury unexpended and uncontracted for, and heretofore collected under the provisions of this chapter, shall constitute and be a part of the general revenues of the Territory in like manner as the tax levied, assessed and collected under the provisions of said Chapter 94."

SECTION 2. This Act shall take effect on June 30, 1915, and shall continue in force for the same time and in like manner as other provisions of this chapter.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 117. Special Income Tax.

Amd. Act. 706 S. L. 1919

ACT 117

AN ACT

TO PROVIDE AN ADDITIONAL INCOME TAX OF ONE PER CENT
UPON ALL CORPORATION INCOMES AND UPON INDIVIDUAL
INCOMES IN EXCESS OF \$4,000.00.

Be it Enacted by the Legislature of the Territory of Hawaii:

⁵⁰⁹ SECTION 1. Rate on person's income. In addition to the tax of two per cent., authorized to be levied, assessed and collected upon the gains, profits and incomes of persons in the Territory of Hawaii under the provisions of Chapter 94 of the Revised Laws of Hawaii 1915, there shall be levied, assessed and collected annually upon the gains, profits and income over and above four thousand dollars derived by every person residing in the Territory, from all property owned, and every business, trade, profession, employment or vocation carried on, in the Territory, and by every person residing without the Territory from all property owned, and every business, profession, employment or vocation carried on in the Territory, and by every servant or officer of the Territory, wherever residing, a tax of one per cent., on the amount so derived during the taxation periods defined by this Act; provided, however, that such tax shall not be levied or assessed upon money and the value of personal property acquired by gift or inheritance.

SECTION 2. On corporation income. In addition to the tax of two per cent., authorized to be levied, assessed and collected upon the gains, profits and income of corporations as provided in said Chapter 94, there shall be levied, assessed and collected annually upon the net profit or income above actual operating and business expenses derived during the taxation periods defined by this Act, from all property owned, and every business, trade, employment or vocation carried on in the Territory, of all corporations doing business for profit in the

88 Ha. 1
Amd. Act. 88 1917, 125

See 25 Ha. 1

Act 117. Special Income Tax.

Territory, no matter where created or organized, a tax of one per cent., on the amount so derived during the taxation periods as defined by this Act. Provided, however, that nothing herein contained shall apply to corporations, companies or associations, conducted solely for charitable, religious, educational or scientific purposes, including fraternal beneficiary societies, nor to insurance companies, taxed on a percentage of the premiums under the authority of another law.

202 *1915* *5, 292*
SECTION 3. Taxation period. The taxation period within the meaning of this Act shall be the year immediately preceding the first day of January of each year in which such tax is payable.

SECTION 4. Other provisions of law applicable. All of the provisions of Sections 1307 to 1316 of the Revised Laws of Hawaii 1915, both inclusive, in so far as the same are consistent with this Act and may be used in furtherance of the purposes hereof, shall apply to this Act as fully as though incorporated herein.

SECTION 5. Tax used for what. All amounts collected from time to time under the provisions of this Act shall constitute and be a part of the general revenues of the Territory in like manner as the tax levied, assessed and collected under the provisions of said Chapter 94.

SECTION 6. This Act shall take effect on January 1, 1916, and shall continue in force to and including December 31, 1917; provided, that all taxes assessed under the provisions of this Act which shall remain unpaid at the end of said period shall be subject to collection and enforcement in the same manner as though all the provisions of this Act were still in force with respect thereto.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 118. License to Sell Wine.

ACT 118

AN ACT

TO AMEND DIVISION 4 OF SECTION 2109 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE MANUFACTURE AND SALE OF WINE FROM GRAPES GROWN IN THE TERRITORY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Division 4 of Section 2109 of the Revised Laws of Hawaii, 1915, relating to the manufacture and sale of wine from grapes grown in the Territory, is hereby amended so as to read as follows:

“Fourth: To sell wine manufactured by the licensee from grapes grown in the Territory by the licensee or others. Such wine shall be sold only on the premises where manufactured and shall not be consumed on such premises, but may be delivered anywhere; provided, however, that the quantity so manufactured shall not exceed five hundred (500) gallons annually. The annual fee for this license shall be five dollars (\$5.00).”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 119**AN ACT**

TO AMEND SECTIONS 53, 116, 117, 118, 119 AND 121 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE DUTIES OF SHERIFFS AND THE SECRETARY OF HAWAII AT ELECTIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 53 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the word "sheriff" in line 3 thereof, and substituting therefor the words "secretary of Hawaii," so that said section, when so amended, shall read as follows:

"Section 53. In case of tie. In case of the failure of an election by reason of the equality of vote between two or more candidates, a return in accordance with the facts shall be made by the secretary of Hawaii to the governor, who shall immediately order a special election to fill such vacancy. In case of such special election, the nominations of candidates already filed shall be sufficient. Nominations for new candidates may also be made in accordance with the provisions of this chapter."

SECTION 2. Section 116 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the words "to the sheriff and one copy forwarded," in line 8 thereof.

SECTION 3. Section 117 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the words "to the sheriff and" in line 11 thereof.

SECTION 4. Section 118 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the word "sheriff" in lines 3 and 7 thereof, and substituting the words "secretary of Hawaii" therefor, and by striking out the last two sentences

Act 119. Elections.

of said section, so that said section, when so amended, shall read as follows:

“Section 118. Tabulation; certificate of election. Immediately upon receiving the returns of election from the several boards of inspectors of any election district, the secretary of Hawaii shall immediately tabulate such returns, and ascertain the result of such election in such district. The number of persons to be elected receiving the highest number of votes in any election district shall be declared to be elected, and the secretary of Hawaii shall immediately deliver to the persons elected certificates of election.”

SECTION 5. Section 119 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the words “sheriff of” in lines 4 and 12 thereof, and substituting therefor, the words “secretary of Hawaii,” so that said section, when thus amended, shall read as follows:

“Section 119. Certificate, form. The certificate of election prescribed in the last section shall be substantially in the following form, viz.:

‘CERTIFICATE OF ELECTION.

I,, Secretary of Hawaii, do hereby certify that was on the day of, 19....., duly elected a (Senator or Representative, as the case may be) for the election district for a term expiring on the day of, A. D. 19.....

Witness my hand this day of, A. D. 19.....

.....
Secretary of Hawaii.’ ”

Act 119. Elections.

Act 120. Compilation of Readers.

SECTION 6. Section 121 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the words "any sheriff" in line 4 thereof.

SECTION 7. This Act shall take effect upon its approval.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 120

AN ACT

TO PROVIDE FOR THE PREPARATION OF READERS SUITABLE TO
THE PURPOSES OF THE PUBLIC SCHOOLS OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The department of public instruction may employ a person or persons to collect, compile, and adapt material for a primer and readers, particularly suitable to the purposes of the public schools of Hawaii.

SECTION 2. Such person or persons shall be duly qualified teachers, possessing a Hawaiian grammar grade certificate and, for the purposes of this Act, such person or persons shall be deemed to be special teachers and shall be paid as such in accordance with the provisions of Section 300 of the Revised Laws of Hawaii, 1915.

SECTION 3. This Act shall take effect upon its approval.

Approved this 19th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 121. Foreclosure of Mortgages.

ACT 121

AN ACT

TO AMEND SECTIONS 2851 AND 2852 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO NOTICE OF FORECLOSURE OF MORTGAGES UNDER POWER OF SALE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2851 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

“Section 2851. Notice of foreclosure; affidavit after sale. When a power of sale is contained in a mortgage, the mortgagee, or any person having his estate therein, or authorized by such power to act in the premises, may, upon a breach of the condition, give notice of his intention to foreclose such mortgage, by publication of such notice in the English language once in each of three successive weeks, the first publication to be not less than twenty-eight days before the day of sale, and the last publication to be not less than fourteen days before the day of sale, in a newspaper published either in the county in which the mortgaged property lies, or in Honolulu, and having a circulation in such county; and also give such notices and do all such acts as are authorized or required by the power contained in the mortgage; and he shall, within thirty days after selling the property in pursuance of the power, file a copy of the notice of sale and his affidavit, setting forth his acts in the premises fully, and particularly in the office of the registrar of conveyances, in Honolulu. The affidavit and copy of the notice shall be recorded by the registrar, with a notice of reference thereto in the margin of the record of the mortgage deed, if recorded in his office.”

SECTION 2. Section 2852 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

Act 121. Foreclosure of Mortgages.

Act 122. Sales of Firearms.

“Section 2852. Same. The true intent and meaning of Section 2851 is: that the notice of intention of foreclosure might also contain a description of the mortgaged property and a statement of the time and place proposed for the sale thereof at any time after the expiration of four weeks from the date when first advertised; and also that the affidavit contemplated by said section might lawfully be made by any person duly authorized to act for the said mortgagee, and in such capacity conducting the foreclosure.”

SECTION 3. This Act shall take effect and be in force from and after the date of its approval, but shall not be applicable to or affect any foreclosure wherein the first publication shall be made prior to the date of the approval of this Act.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 122
AN ACT

Amd. Act. 124 S. L. 1919

Amd. Act. 17 S. L. 1921

Amd. Act. 124 S. L. 1921

TO AMEND CHAPTER 125 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO FIREARMS AND AMMUNITION, BY ADDING THERETO A NEW SECTION TO BE KNOWN AS SECTION 2202A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Chapter 125 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto a new section to be known as Section 2202A, and to read as follows:

“Section 2202A. Whenever any person, firm, corporation or copartnership, dealing in or keeping for sale firearms or

Act 122. Sales of Firearms.

Act 123. Nomination Fee.

ammunition, shall make a sale of any such firearms or ammunition, or shall in any manner dispose of the same to another person, it shall be the duty of such person, firm, corporation or copartnership forthwith to report the same to the clerk and also to the sheriff of the county or city and county in which such person, firm, corporation or copartnership resides, or where in such sale or disposition takes place; and such report shall contain the name of the owner, the name of the purchaser, the date of the sale and description of the firearms or ammunition sold, as the case may be, together with the factory number of the firearm; and also such other information as shall comply as nearly as possible with all the requirements of this chapter."

SECTION 2. This Act shall take effect upon its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 123

AN ACT

TO APPROPRIATE EIGHTEEN HUNDRED AND TWENTY-FIVE DOLLARS (\$1,825.00) FOR THE REIMBURSEMENT OF CERTAIN MONEYS IMPROPERLY COLLECTED AS NOMINATION FEES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of eighteen hundred and twenty-five dollars (\$1,825.00) is hereby appropriated out of the general revenues of the Territory and to be immediately available to reimburse amounts improperly collected by the Secretary of the Territory, as nomination fees of candidates for the Legislature and for the office of Delegate to Congress at the general elec-

Act 123. Nomination Fee.

Act 124. Misrepresentation of Merchandise.

tion of 1914, to all such persons, or their executors or administrators, as the case may be, who so paid such moneys and who shall file with said secretary a claim for reimbursement within three months after the approval of this Act.

SECTION 2. Upon being satisfied of the verity of such claims, it shall be the duty of the Secretary of the Territory to approve the same and to transmit such approved claims to the auditor, who shall thereupon issue warrants to the persons so entitled to such reimbursement for the respective amounts so paid.

SECTION 3. This Act shall take effect upon its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 124

AN ACT

TO PUNISH THE MISREPRESENTATION OF MERCHANDISE,
SHARES OF STOCK, BONDS, MORTGAGES, NOTES, COPART-
NERSHIP UNITS AND SERVICE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. If any person, firm, corporation or association, or any employee thereof, in a newspaper, circular, form letter or other publication published, distributed or circulated in this Territory, or on any bill board, sign, card, label or other advertising medium displayed on, in or near a street, electric car, automobile, auto-truck, wagon, carriage, motorecycle, bicycle, show-case, store or other place in this Territory, knowingly

Act 124. Misrepresentation of Merchandise.

makes or disseminates, or causes to be made or disseminated, any statement or assertion of fact concerning the quantity, the quality, the method of production or manufacture, the cost of production, the cost to the advertiser or vendor, the present or former price, present or prospective value or the former, present or prospective earning power, or the reason for the price of such merchandise, shares of stock, bonds, mortgages, notes, copartnership units or service offered for sale or advertised by such person, firm, corporation or association, or concerning the manner or source of production or purchase, or the possession or rewards, prizes or distinctions conferred on account of the purchase or possession of such merchandise, shares of stock, bonds, mortgages, notes, copartnership units or service, which statement or assertion has the appearance of an offer advantageous to the purchaser, and is untrue or calculated to mislead, the person or corporation or firm, or the member or members of a firm, or directors of a corporation, or directors or trustees of an association, causing such statement or assertion to be made or disseminated, also the employee or agent making or disseminating such statement or assertion, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00), or imprisonment for not more than one year, or both such fine and imprisonment, for each and every offense.

SECTION 2. This Act shall take effect and be in force from the date of its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 125**AN ACT**

TO REIMBURSE CERTAIN LABORERS AND MATERIALMEN FOR LABOR AND MATERIAL FURNISHED AND USED IN THE CONSTRUCTION OF NEW BUILDINGS AT THE BOYS' INDUSTRIAL SCHOOL AT WAIALEE, OAHU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There is hereby appropriated out of any moneys in the treasury not otherwise appropriated the sum of five thousand five hundred and two and 14/100 dollars (\$5,502.14), or so much thereof as may be necessary to reimburse the laborers and materialmen who furnished labor and material used in the construction of new buildings at the Boys' Industrial School at Waialeale, Oahu, during the year 1912, and whose claims have not been paid.

SECTION 2. No portion of such sum shall be paid to any claimant, until he shall satisfy the superintendent of public works, that the labor or material for which such claim is made, was actually used in the construction of the buildings aforesaid and that the same has not been paid, and until such claimant shall execute and deliver to the superintendent of public works a good and sufficient legal assignment to the Territory of Hawaii of his claim for the sum so paid, against the person, firm or corporation primarily responsible therefor.

SECTION 3. This Act shall take effect upon its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 126. Relief of Lee Chau and Jan Ye Chong.

ACT 126

AN ACT

TO APPROPRIATE MONEY FOR THE RELIEF OF LEE CHAU AND
JAN YE CHONG.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the sum of one hundred forty-three and 50/100 dollars (\$143.50) is hereby appropriated for the relief of Lee Chau and Jan Ye Chong of Hilo, Island of Hawaii, Territory of Hawaii, to be paid out of any moneys in the treasury received from current revenue of the Territory, the same to constitute reimbursement to them of part of the amount of rent heretofore paid by them to the Territory of Hawaii, for that certain piece or parcel of land situate on Volcano Street, in the City of Hilo, County of Hawaii, said piece or parcel of land having been conveyed by the Territory of Hawaii to T. A. Dranga.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 127**AN ACT**

TO AMEND CHAPTER 91 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO BANK EXAMINERS, BY ADDING TWO NEW SECTIONS THERETO TO BE KNOWN AS SECTIONS 1198A AND 1198B.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 1198A, as follows:

“Section 1198A. Receiver; application for, appointment, duties. If the bank examiner shall become satisfied that the capital of any bank has become impaired or reduced below the amount required by law, and such impairment or reduction shall not have been made good as by him required, or if the examiner shall have become satisfied that any bank is conducting its business in an unsafe or unauthorized manner so that the continuance of its business would be hazardous to the public, or to those having funds in its control, or if any bank has violated any of the provisions of this chapter or of any other law relating thereto, or if any bank shall refuse to submit its books and papers and concerns to the inspection of the bank examiner, or his deputy, or if any officer of such bank shall unreasonably delay or refuse to be examined under oath, touching the affairs and condition of the bank, or if from any examination made, or report in this chapter provided for, the bank examiner shall conclude that such bank is in an unsound or unsafe condition to transact the banking business so that it is unsafe and inexpedient to continue the same, the bank examiner shall communicate such facts to the governor, and with his concurrence, application may be made by the attorney general, on behalf of the bank examiner, to a judge or court of competent

Act 127. Bank Receivers.

jurisdiction for the appointment of a receiver of such bank. Upon presentation of such application and upon its being made to appear that any of the facts herein enumerated, as a ground for the application for a receiver exists, the said court or judge shall immediately appoint a competent person as receiver and shall determine his bond and prescribe his duties and may make such further order as shall seem proper; provided, that pending such action, it shall be the duty of the bank examiner immediately to take such control of such bank and all the property and effects thereof as may be necessary to prevent waste or diversion of assets, and to hold possession of the same pending said action; and such property and effects, while in his possession, shall not be subject to any levies and attachments. The receiver, if any be appointed, shall, under the direction of the court, take possession of the books, records and assets of every description of such bank, collect all debts, dues and claims belonging to it and sell or compound all bad or doubtful assets, and sell all the real and personal property of such bank on such terms as the court shall direct, and may, if necessary to pay the debts of such bank, enforce all individual liabilities of stockholders, and shall make a report to the court and bank examiner of all his acts and proceedings.

The compensation of such receiver, which shall be not more than fifteen dollars (\$15.00) per day shall be fixed by the court and shall, together with the expenses of the receivership, be paid out of the assets of the bank or the moneys collected by such receiver."

SECTION 2. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 1198B, as follows:

"Section 1198B. Reorganization. Whenever arrangements shall be made by any such bank or the stockholders thereof, if any, by reorganization or otherwise, to the satisfaction of the bank examiner to pay all creditors thereof, aside from the stock-

Act 127. Bank Receivers.

Act 128. Auwaiolimu Streets.

holders, and to make good the impairment of the capital stock in all particulars and to pay the expenses of the receivership, if any have accrued, such facts may be presented to the court and the court may order the property to be turned over to the bank or to such stockholders and shall in such case discharge the receiver, if any had been appointed."

SECTION 3. This Act shall take effect upon its approval.

Approved this 20th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 128

AN ACT

MAKING AN APPROPRIATION BY WAY OF ADVANCEMENT OUT OF GENERAL REVENUES FOR THE CONSTRUCTION OF STREETS IN THE AUWAIOLIMU TRACT, HONOLULU, TO BE REIMBURSED OUT OF THE PROCEEDS OF THE SALES OF LOTS IN SAID TRACT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of forty-one thousand dollars (\$41,000.00), or so much thereof as may be necessary, is hereby appropriated out of the general revenues for use, in addition to any amount now available for the purpose from the proceeds of sales of lots in said tract under the provisions of Sections 374 and 375 of the Revised Laws of Hawaii of 1915, in the construction of streets in the Auwaiolimu Tract, Honolulu, the amount expended hereunder to be deemed an advancement out of the general revenues to the fund provided for in said Act

Act 128. Auwaiolimu Streets.

Act 129. Homestead Roads, South Kona.

and to be reimbursed to the general revenues out of the proceeds of sales of such lots when hereafter received.

SECTION 2. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 129

AN ACT

APPROPRIATING ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) FOR THE ACQUISITION OF LAND FOR, AND FOR THE CONSTRUCTION OF, A HOMESTEAD ROAD THROUGH THE KUKUIOPAE AND OLELOMOANA-OPIIHALI HOMESTEAD TRACTS, IN THE DISTRICT OF SOUTH KONA, COUNTY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of one thousand five hundred dollars (\$1,500.00) is hereby appropriated to be paid out of the balance of the fund available for homestead roads, Hawaii, for the purpose of relocating and constructing a homestead road or roads through the lots of the Kukuiope and Olelomoana-Opiihali Homestead Tracts, in the District of South Kona, County of Hawaii, to connect said lots with the main road, and for the purpose of acquiring such private land as may be necessary, for such road, the location of such road to be selected by the superintendent of public works, and the construction thereof to

Act 129. Homestead Roads, South Kona.

Act 130. Fishing for Bass.

be pursuant to the conditions of Section 374 of the Revised Laws of Hawaii, 1915.

SECTION 2. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 130

AN ACT

TO AMEND SECTION 640 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE TAKING OF BASS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 640 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“Section 640. Close season. It shall be unlawful for any person at any time, to fish for or take, or be engaged in the fishing for or taking from any of the waters within said Territory, with nets of any description, the fish known as bass; and it shall be unlawful for any person to fish for or take, or be engaged in the fishing for or taking from any of the waters within said Territory the fish known as bass during any time between November first and June first. And it shall be likewise unlawful for any person to take more than five bass in any one day except in the waters of the County of Kauai wherein it shall be unlawful to take more than ten bass in any one day. And it shall be likewise unlawful for any person to take a bass of a length of less than nine inches in any of the waters of the Territory. And it shall be likewise unlawful for any person to expose or offer for sale or to have in his possession for the

Act 130. Fishing for Bass.

Act 131. Reimbursing Homesteaders.

purpose of exposing or offering for sale any bass during or within any of the times stated in this section. Provided, however, that the provisions of Sections 640 to 642 shall not prohibit the taking of bass for the purpose of stocking other waters, or their transfer during periods of low water for the purpose of preserving the same."

SECTION 2. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 131

AN ACT

TO REIMBURSE CERTAIN CITIZENS WHOSE HOMESTEADS WERE FORFEITED TO THE TERRITORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There is hereby appropriated out of any moneys in the Treasury, not otherwise appropriated, the following sums to reimburse the persons hereinafter named whose homesteads at Kapaa, Kauai, were forfeited to the Territory of Hawaii:

Isaac Kaiu, holder of Lot 148, Waipouli Homesteads . . .	\$12.95
Charles Titcomb, holder of Lot 147, Waipouli Home-	
steads	\$14.00
Mrs. Hana Adolpho, holder of Lot 98, Waipouli Home-	
steads	\$11.75
Wahinealoha Keo, holder of Lot 99, Waipouli Home-	
steads	\$11.75

Act 131. Reimbursing Homesteaders.

Act 132. School Budget.

Chas. Liwai Kuheana, holder of Lots 150 and 151, Waipouli Homesteads	\$17.70
Solomon Polani, holder of Lots 164 and 165, Waipouli Homesteads	\$13.05

SECTION 2. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 132

AN ACT

 And Act HR 1915, 55.

TO FIX THE SCHOOL BUDGET FOR THE BIENNIAL PERIOD BEGINNING JANUARY 1, 1916, AND ENDING DECEMBER 31, 1917.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The school budget referred to in Chapter 25 of the Revised Laws of Hawaii, 1915, shall be as follows for the biennial period beginning January 1, 1916, and ending December 31, 1917:

GENERAL FUND.

Salary of Superintendent	\$	7,200.00
Salaries of Office Force		18,600.00
Inspector General	\$	4,800.00
Secretary		3,600.00
Assistant Secretary and Book-keeper		3,600.00
Stenographer		2,760.00

Act 132. School Budget.

Clerk and Typist	2,640.00	
Shipping Clerk	1,200.00	
General Expenses		11,500.00
Stationery, postage and incidentals	8,000.00	
Traveling expenses (commissioners and committee of estimates)	2,000.00	
Traveling expenses, inspector general	1,500.00	
Supplies		20,000.00
Libraries and books		8,000.00
Industrial and manual training, including salaries, equipment, supplies and material for school equipment		45,000.00

Maintenance of Special Schools:

Boys' Industrial School		57,000.00
Salaries of instructors	9,000.00	
Salary of superintendent	4,000.00	
Salaries of night watchmen	3,600.00	
Salary of cook and baker	1,800.00	
Maintenance, repairs and livestock	26,000.00	
New buildings, equipment and improvements	12,600.00	
The above item to be available, provided that the \$13,000.00 appropriated in 1913 is not expended.		
Girls' Industrial School		46,320.00
Salary of superintendent	3,600.00	
Salaries of house mothers and instructors	11,640.00	
Salaries of night watchmen	2,880.00	

Act 132. School Budget.

New buildings, equipment and im- provements	8,200.00	
Maintenance and repairs	20,000.00	
Lahainaluna School		50,060.00
Maintenance and repairs	25,760.00	
New buildings, equipment and im- provements	1,500.00	
Salaries of instructors	22,800.00	
Normal and Training School		3,000.00
Maintenance and repairs	2,000.00	
New buildings, equipment and im- provements	1,000.00	
Summer School		3,000.00
Total		<u>\$269,680.00</u>

SPECIAL FUND.

	County or City and County.			
	Hawaii	Maui	Honolulu	Kauai
New buildings	\$32,700	\$11,950	\$ 84,200	\$62,000
Repairs and mainte- nance	36,000	20,000	35,000	10,000
Janitors' service and supplies	12,000	9,000	28,000	3,000
Furniture and fixtures	7,500	3,700	15,000	3,000
New grounds		500
	<u>\$88,200</u>	<u>\$45,150</u>	<u>\$162,200</u>	<u>\$78,000</u>

The new buildings proposed to be erected during the biennial period ending December 31, 1917, and for which the total sum of \$190,850.00, as set forth above, is estimated to be necessary, are as follows:

Act 132. School Budget.

County of Hawaii:

Hilo High School	\$ 1,200.00
Hilo Union	6,000.00

Above item is an addition to the item
of \$22,000.00 appropriated for
this purpose in 1913.

Waiakoa-kai	2,500.00
Papaikou	1,200.00
Paukaa	1,000.00
Pepeekeo	1,000.00
Hakalau	1,500.00
Kapehu	1,000.00
Honohina	1,000.00
Laupahoehoe	4,000.00
Kalapana	1,000.00
Olaa Nine Miles	1,000.00
Keakealani	500.00
Paauhau	1,500.00
Paauilo	1,000.00
Kapapala	1,000.00
Punaluu	1,000.00
Waimea	3,000.00
Kohala Homestead, Kaauhuhu.	800.00
Kahua	1,500.00

Total	\$ 32,700.00
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County of Maui:

Hamakuapoko	3,400.00
High School	1,500.00
Spreckelsville	1,800.00
Paia	750.00
Puunene	3,000.00

	Act 132.	School Budget.
Keamoku	750.00	
Kahului	750.00	
	<hr/>	
Total		11,950.00
 City and County of Honolulu:		
High School	3,500.00	
Kaneohe	750.00	
Waiahole	750.00	
Kaaawa	750.00	
Kahuku	600.00	
Pupukea	2,250.00	
Kawailoa	600.00	
Waialua	1,200.00	
Wahiawa	600.00	
Ewa	1,200.00	
Waipahu	1,200.00	
Aiea	600.00	
Kalihi-uka	600.00	
Honolulu District	9,600.00	
Kaahumanu	30,000.00	
Central Grammar	30,000.00	
	<hr/>	
Total		84,200.00
 County of Kauai:		
Haena	1,500.00	
Kilauea	700.00	
Kapahi	1,500.00	
Kapaa	1,200.00	
Hanamaulu	900.00	
Lihue	40,000.00	
High School	5,600.00	
Koloa	2,700.00	
Makaweli	600.00	

Act 132. School Budget.

Act 133. Government Inventories.

Kalaheo	600.00	
Hanapepe	600.00	
Kekaha	600.00	
Mana	1,000.00	
Waimea	4,500.00	
		<hr/>
Total		62,000.00
Total of Special Fund	\$373,550.00	
Total of General Fund	269,680.00	
		<hr/>
Total of General and Special Funds		\$643,230.00

SECTION 2. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 133

AN ACT

TO AMEND CHAPTER 19 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE INVENTORIES OF GOVERNMENT ASSETS, BY ADDING A NEW SECTION THERETO TO BE KNOWN AS SECTION 172A AND BY AMENDING SECTION 173.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 172A, and reading as follows:

Act 133. Government Inventories.

“Section 172A. Forms of inventories. It shall be the duty of the auditor of the Territory to prepare a general form upon which the inventories required under the provisions of Sections 171 and 172 shall be made. The auditor shall have such forms printed and, prior to the first day of June in each year, shall mail to each officer required under the provisions of Sections 171 and 172 to file an inventory, such number of such forms as may be requisite to enable him to properly make such inventory, and the auditor shall at the same time call to the attention of such officer, in writing, the requirements of this chapter.”

SECTION 2. Section 173 of Chapter 19 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 173. Tax assessors’ duties. It shall be the duty of each tax assessor to examine each return or inventory so filed as aforesaid, to add thereto all, if any, items of property (with a statement of their full cash value) omitted therefrom and which under the provisions of Sections 171 and 172, or either of them, should have been included therein, to make such corrections and alterations in the valuations as required as aforesaid as in his judgment may be required by truth and accuracy and to transmit to the auditor of the Territory not later than September 30 of each year a copy of such inventories as are required by Sections 171 and 172; and to transmit to the auditor of the county or city and county not later than September 30 of each year such inventories of property belonging to the county or city and county as are required by Section 172.

It shall be the duty of the auditor of the Territory and of the county or city and county, as the case may be, to enter in one or more books to be kept for the purpose and to be available at all times for inspection by any taxpayer, all of the property and valuations named in such inventories, as so added to, revised and corrected as aforesaid and classified for convenience and facility of reference.

Act 133. Government Inventories.

Act 134. Pension for J. K. Piimanu.

And it shall be the duty of said auditors to charge the amounts of said inventories to proper accounts on the general ledgers of the Territory, county, or city and county, so that the values of the said properties shall be shown and appear at all times in the balance sheet of the books of the Territory, county, or city and county.

It shall be the duty of the superintendent of public works at all times to advise or assist the several tax assessors and/or auditor in the valuation of all property belonging to the Territory.

And it shall be the duty of the county engineers to advise or assist the tax assessors and/or auditors of their respective counties or city and county as to the valuation of the property belonging to county or city and county."

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 134

AN ACT

MAKING AN APPROPRIATION FOR THE BENEFIT OF J. K. PIIMANU.

WHEREAS, the Honorable J. K. Piimanu, District Magistrate of Kipahulu, County of Maui, of the Second Judicial Circuit, Territory of Hawaii, has retired from the position of District Magistrate of Kipahulu, for being totally disabled at present, and for a long time past, with paralysis; and

Act 134. Pension for J. K. Piimanu.

Act 135. Primaries.

WHEREAS, the said J. K. Piimanu has filled the said position most faithfully and honorably for a period of thirty years; and

WHEREAS, he is one of the most honored and respected citizens of Hawaii nei, and in recognition of his most valuable and honorable services; Therefore,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The treasurer of the Territory of Hawaii is hereby authorized and directed to pay, upon warrants issued by the auditor of the Territory, the sum of twenty dollars (\$20.00) each month to Judge J. K. Piimanu, and to continue so to do for and during the remainder of his life. Such payments are hereby appropriated out of money received in the treasury of the Territory from the general revenues.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 135

AN ACT

TO AMEND SECTION 41 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO PRIMARY ELECTIONS, BY ADDING THERETO A FURTHER PROVISIO TO SAID SECTION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 41 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto a further proviso to read as follows:

Act 135. Primaries.

Act 136. Agriculture and Forestry.

“And further provided, that in respect of any office to which more than one person may be by law elected, as, for example, supervisors of and for any county, or any city and county, or any subdivision of either thereof, in the Territory, if more candidates than the number to be elected shall receive such majority of votes, only the number to be elected, as by law provided in the given instance, and being those candidates who shall have received the highest number of votes at such primary, shall be considered and declared elected.”

SECTION 2. This Act shall take effect from and after its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Amd. Act. 66 S. L. 1917
Amd. Act. 222 S. L. 1921

ACT 136

AN ACT

TO AMEND SECTIONS 476, 477, 479 AND 480; PARAGRAPH 1 OF SUB-SECTION 5, SUB-SECTIONS 10 AND 14 OF SECTION 481; AND SECTION 504 OF CHAPTER 37 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO AGRICULTURE AND FORESTRY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 476 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the word “Officers” and omitting the following two sentences, so that said section shall then read as follows:

Act 136. Agriculture and Forestry.

"Section 476. Board, quorum. A majority of the members of said board shall constitute a quorum thereof, with power to transact any business within the powers or jurisdiction of the board."

✓ SECTION 2. Section 477 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 477. Executive officer of board. The powers and duties vested prior to April 25, 1903, in the commissioner of agriculture and forestry and thereafter transferred to and vested in the superintendent of public works, and thereafter transferred to and vested in the president of the board are hereby transferred to and vested in the executive officer of the board whom the board may, with the approval of the governor, appoint and, who shall receive such compensation out of the funds at the disposal of the board as shall be prescribed by the board, with the approval of the governor."

SECTION 3. Section 479 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the words "except the president, who shall receive such salary as may be appropriated by the legislature," so that said section shall then read as follows:

"Section 479. Board, expenses, pay. The members of the board, appointed under this chapter, shall serve without pay. The board shall be entitled to pay the traveling expenses, within the Territory, of its members when actually engaged in business relating to the work of the commission, and also all cost of postage, stationery, correspondence, records, printing and other expenses necessarily or properly incidental to the business of the board."

SECTION 4. Paragraph 1 of Sub-sections 5 of Section 481 of the Revised Laws of Hawaii, 1915, is hereby amended by deleting the words "and who shall be paid such salary as may

Act 136. Agriculture and Forestry.

be appropriated by the legislature," so that said paragraph shall then read as follows:

"5. Superintendent of forestry department. To appoint a superintendent of forestry, who shall have charge, direction and control (subject to the direction and control of the board) of all matters relating to forestry, mentioned in or coming within the scope of this chapter, and such other matters as the board may from time to time direct. Said superintendent of forestry shall be a trained and educated forester, who shall have made the subject of forestry a special study, and if such a man is available, one who has had practical training and experience in connection with forestry in a tropical country."

SECTION 5. Section 480 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 480. Expenses, how paid. All persons authorized to be employed by the board and all expenditures authorized to be made by the board, shall be paid out of the appropriations provided for by the legislature for agriculture and forestry."

SECTION 6. Sub-section 10 of Section 481 of the Revised Laws of Hawaii, 1915, is hereby amended by deleting the words "and who shall be paid such salary as may be appropriated by the legislature," so that said sub-section shall then read as follows:

"10. Superintendent of entomological department. To appoint a superintendent of entomology, who shall have charge, direction and control (subject to the direction and control of the board) of all matters relating to the exclusion or eradication of insects, scales, blight and diseases injurious, or liable to become injurious, to trees, plants or other vegetation of value; and relating to the quarantine, inspection, disinfection, exclusion or destruction of any plant, article or substance injurious, or liable to become injurious, to trees, plants or other

Act 136. Agriculture and Forestry.

vegetation of value mentioned in or coming within the scope of this chapter, and of such other matters as the board may from time to time direct. The said superintendent of entomology shall be a trained and educated entomologist, who has made the subject of entomology as related to agriculture a special study; and, if such a man is available, one who has had practical training and experience in connection with entomology in a tropical country."

SECTION 7. Sub-section 14 of Section 481 of the Revised Laws of Hawaii, 1915, is hereby amended by deleting the last two lines of said sub-section, which read "and upon the counter signature of the superintendent of public works," and insert in lieu thereof the following: "and upon the order of the executive officer of the board, countersigned by the president of the board."

SECTION 8. Section 504 of the Revised Laws of Hawaii, 1915, is hereby amended by deleting the words "shall be paid such salary as may be appropriated by the legislature and," so that said section shall then read as follows:

"Section 504. Territorial veterinarian. Said board of agriculture and forestry shall have power and authority to appoint a superintendent of animal industry who shall be a competent veterinary surgeon and shall be known as the 'Territorial Veterinarian.'

He shall have charge, direction and control (subject to the direction and control of the board), of all matters relating to the inspection of animals and the prevention and eradication of contagious, infectious and communicable diseases among animals and of all matters relating to animal industry mentioned in or coming within the scope of this chapter, and such other matters as the board shall from time to time direct. He shall enjoy all the powers, rights, privileges and immunities of an officer of the board of health."

Act 136. Agriculture and Forestry.

Act 137. Removal of Officers.

SECTION 9. This Act shall take effect upon its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 137

AN ACT

TO AMEND SECTION 1552 OF THE REVISED LAWS OF HAWAII,
1915, CONCERNING THE REMOVAL OF OFFICERS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1552 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“Section 1552. Procedure. Any elected county officer, or any county officer appointed to a vacancy in any elective office, including a supervisor, may be removed for malfeasance, misfeasance, nonfeasance or maladministration in office. Any circuit court within the county shall be a court of impeachment for the trial of any such elected or appointed officer who may be so charged, and such circuit court shall sit without a jury and shall proceed according to the form required for the trial of all civil cases at common law as modified by statute. A verified petition, setting forth in detail the charges preferred against such officer and praying for his removal, may be filed in such circuit court by not less than twenty-five persons who are citizens and voters of the county, and thereupon the court shall fix the time within which the officer charged shall answer the charges, but in no case less than twenty days from date of service, and, a certified copy of such charges, together with a proper summons, shall be served upon the officer so charged

Act 137. Removal of Officers.

as in any civil case. If such officer shall fail to appear and answer on or before the return day, he may be defaulted, and the court may, after default, hear the petitioners upon their proof and, if the charges are sustained, may remove the officer and his office shall thereupon become vacant; but if the officer shall, on or before the return day, appear and file a written reply to the charges, either in the form of a demurrer or traverse, the issues formed by the reply shall, after notice, be set down and heard by the court and the cause shall proceed to final termination as in other civil law causes. If it shall be finally adjudged that the charges are unfounded in law or in fact, the respondent may recover his costs; but if the charges are adjudged to be founded upon both law and fact, the court shall adjudge the office to be vacant and award the costs against the respondent. Any such judgment or order vacating any office shall be subject to appeal to, and review on both questions of law and fact, by the supreme court of the Territory of Hawaii. The board of supervisors, unless provision is otherwise made by law, shall fill such vacancy by the appointment of some other person to the office, unless the removed officer shall be a supervisor, when the office shall be filled by the governor."

SECTION 2. This Act shall take effect from the date of its approval.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 138. Salary, City and County Clerk.

Act 139. Duties, City and County Clerk.

Amd. Act. ¹¹⁵ S. L. 1917 **ACT 138**

AN ACT

TO AMEND SECTION 1678 OF CHAPTER 111 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO THE CITY AND COUNTY OF HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1678 of Chapter 111 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the figures "2,400.00" in line 8 of said section and inserting in lieu thereof the figures "3,000.00" so that the line, so amended, will read as follows:

"City and County Clerk..... 3,000.00"

SECTION 2. This Act shall take effect on the first day of July, 1915.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 139

AN ACT

TO AMEND THE FIRST PARAGRAPH OF SECTION 1743 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE DUTIES OF THE CLERK OF THE CITY AND COUNTY OF HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The first paragraph of Section 1743 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

Act 139. Duties, City and County Clerk.

Act 140. Depositories for Official Publications.

"1. Take charge of, safely keep and dispose of, according to law, all books, papers and records, which may properly be filed in his office, and keep in separate files, arranged in numerical order, all ordinances and resolutions, or exact copies thereof, adopted by the board of supervisors."

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 140

AN ACT

TO DESIGNATE THE COMMISSIONERS OF PUBLIC ARCHIVES, THE COLLEGE OF HAWAII, THE LIBRARY OF HAWAII AND OTHER LIBRARIES AS DEPOSITORIES FOR TERRITORIAL REPORTS AND PUBLICATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The Commissioners of Public Archives, the College of Hawaii, the Library of Hawaii and all other public libraries in the Territory are hereby designated as depositories for all printed reports and publications made or issued by any Territorial officer or department, and it is hereby made the duty of each Territorial officer to forward to each of said depositories a copy of every such report or publication made or issued by him or by the department of which he is in charge.

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 141. Surveys of Preference Right Lots.

ACT 141

AN ACT

TO AMEND CHAPTER 30 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE MANAGEMENT AND DISPOSITION OF PUBLIC LANDS, BY ADDING THERETO A SECTION TO BE KNOWN AS SECTION 357A, PROVIDING FOR UNIFORM SURVEYS OF PREFERENCE RIGHT LOTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is added to Chapter 30 of the Revised Laws of Hawaii, 1915, relating to the management and disposition of public lands, to be known as 357A, providing for uniform surveys of preference right lots, reading as follows:

“Section 357A. When application has been made to purchase a lot under the preference right defined in Section 357, and the rights of the applicant have been fully established, if no survey of such lot satisfactory to the commissioner exists, the commissioner shall within four months thereafter, cause a survey, description and map of such lot to be made, conforming to a standard for such work to be adopted by the commissioner, and the cost of such survey, description and map shall, at the request of the applicant, be paid by the Territory, from funds of the land department, and added to the appraised purchase price of such lot.”

SECTION 2. This Act shall take effect from and after its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 142. Protection of Women.
Act 143. Sale of Opium.

ACT 142

AN ACT

FOR THE PROTECTION OF WOMEN.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. It shall be unlawful for any unmarried female person under the age of sixteen (16) years to loiter upon the public streets of the City and County of Honolulu between the hours of eight o'clock p. m. and four o'clock a. m.

SECTION 2. Any person violating the provisions of this Act shall be deemed a delinquent child as provided by law.

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 143

AN ACT

TO AMEND SECTIONS 2072 AND 2075 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE USE OR SALE OF OPIUM AND PREPARATIONS THEREOF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2072 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 2072. Sale of opium. The board of health may, upon the conditions to be named in such authorization, author-

Act 143. Sale of Opium.

Act 144. Pension for W. C. Crook.

ize any duly qualified physician or surgeon, or any person holding a license to sell poisonous drugs, to sell for medicinal purposes only, opium and preparations thereof; provided, however, that no person shall sell or furnish opium or any preparation thereof, except upon the written prescription of a duly licensed physician signed by him, and such prescription shall be written in ink, bear the name of the person to whom issued, the date of its issuance, the time of its expiration, and state the maximum quantity that may be sold or furnished under such prescription."

*Am. Act. 132 S. L. 1923
Sec. 2075* SECTION 2. Section 2075 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 2075. Using or smoking opium; penalty. Any person who shall use or smoke opium or any preparation thereof, or have the same in his possession, except as provided in Sections 2072 and 2074, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00), or by imprisonment not more than six (6) months."

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Am. Act. *49* S. L. 1921

ACT 144

AN ACT

MAKING AN APPROPRIATION FOR THE BENEFIT OF WILLIAM
CROSS CROOK.

WHEREAS, William Cross Crook has retired from the position of school teacher in the Territory of Hawaii after

Act 144. Pension for W. C. Crook.

Act 145. Circuit Court Expenses.

having taught in the public schools of the Territory for a period of 32 years; Now, Therefore,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The treasurer of the Territory is hereby authorized and directed to pay upon warrants issued by the auditor of the Territory, the sum of thirty dollars (\$30.00) each month to William Cross Crook, and to continue so to do for and during the remainder of the life of the said William Cross Crook.

Such payment is hereby appropriated out of the general revenues of the Territory.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 145

AN ACT ✓✓

TO AMEND SECTION 2197 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO EXPENSES, CIRCUIT COURTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Lines 17 and 18 of Section 2197 of the Revised Laws of Hawaii, 1915, are hereby amended to read as follows:

- "17. Hawaiian Interpreter (\$150.00) \$1,800.00
- 18. Japanese Interpreter (\$150.00) \$1,800.00."

Act 145. Circuit Court Expenses.

Act 146. Deficiency, First Circuit Court.

SECTION 2. A new line is hereby added to Section 2197, after line 19, to be known as line "19A," and to read as follows:

"19A. Other interpreters to be paid as ordered by the court\$1,500.00"

SECTION 3. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 146 ✕

AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU TO MAKE ADDITIONAL APPROPRIATION FOR THE EXPENSES OF THE FIRST CIRCUIT COURT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The board of supervisors of the City and County of Honolulu is hereby authorized and directed to make additional appropriations as shall be necessary to meet the expenses of the First Circuit Court to the amount of five thousand dollars (\$5,000.00) for the period ending June 30, 1915.

SECTION 2. This Act shall take effect on its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 147. Public Entertainments by Counties.

Act 148. Immigration.

ACT 147X

AN ACT

AUTHORIZING THE BOARDS OF SUPERVISORS OF THE SEVERAL COUNTIES AND CITY AND COUNTY TO MAKE APPROPRIATIONS FOR PUBLIC CELEBRATIONS AND FOR THE ENTERTAINMENT OF DISTINGUISHED VISITORS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The boards of supervisors of the several counties and city and county are hereby authorized and empowered to make appropriations not exceeding the sum of two thousand dollars (\$2,000.00) in any one year, from any moneys in their respective treasuries, for the purpose of public celebrations, and the entertainment of such distinguished persons as may from time to time visit such counties or city and county.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 148X

AN ACT

TO CREATE A SPECIAL FUND FOR THE ENCOURAGEMENT OF IMMIGRATION TO THE TERRITORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of one hundred thousand dollars (\$100,000.00) is hereby appropriated out of the general rev-

Act 148. Immigration.

enues of the Territory, and shall be held by the treasurer of the Territory as a special fund to be used and applied, except as in this Act otherwise provided, only for the encouragement of immigration to the Territory of Hawaii in aid and development of the agricultural resources and conditions, the same to be available for expenditure from time to time as shall be determined by the board of immigration with the approval of the governor.

SECTION 2. The treasurer of the Territory, with the consent of the governor, may make temporary use of any portion of said special fund, not presently needed by the board of immigration, for the purpose of paying warrants drawn on the treasury for current indebtedness of the Territory, whenever the current cash in the territorial treasury is not sufficient to pay the same; provided, however, that all sums so taken shall be redeposited to the credit of said special fund not more than fifteen days after the next succeeding delinquency date of the income taxes.

SECTION 3. This Act shall take effect on July 1, 1915, and continue in effect until June 30, 1917.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 149

AN ACT ✓✓

TO AMEND SECTIONS 985 AND 986 OF CHAPTER 71 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO SANITARY CONDITION OF LAND.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 985 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 985. Foreclosure. Said lien may be foreclosed at any time after six months and within five years from the date of the recording required by the preceding section by suit in equity or without suit by public sale by such superintendent in the name of the Territory. Foreclosure by public sale shall be preceded by the publication of a notice, setting forth the time and place of such sale, the amount of such lien, and a brief description of such land, for at least six times, in a weekly paper published in the county or city and county where the land is situated. Said land shall be offered for sale at public auction at an upset price equal to the amount of said lien, and the cost of all advertising and other costs incurred, and if no higher price is bid, shall be declared sold to the Territory of Hawaii, which in such case shall be deemed to be the purchaser at the upset price. Such sale shall be effectual to convey the title to the purchaser, and a conveyance of the land to the purchaser may be executed in the name of the Territory by said superintendent. Only the balance of the purchase price, after deducting the amount of such lien and costs, or, in case there is no balance or an insufficient balance, only an amount equal to the value of the land as last previously assessed for taxation, shall be subject to claims against the Territory. In case the Territory shall be the purchaser as aforesaid, the amount of such assessed value shall be payable out of the fund provided

Act 149. Insanitary Land.

Act 150. Preference Right Lots, South Hilo.

for in Section 987, and the land may be sold at any time thereafter at public auction, after due notice, at an upset price equal to the value of the land as determined by three disinterested appraisers appointed by said superintendent, and the proceeds of such sale turned into the fund provided for in said Section 987. In case of uncertainty as to the person or persons to whom such balance or assessed value should be paid or its apportionment among two or more persons, it may be deposited in the circuit court for the benefit of whom it may concern."

SECTION 2. Section 986 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 986. Payment presumed when. All such liens shall be presumed to have been satisfied at the expiration of six years from the date of record."

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 150 X

AN ACT ✓✓

TO REPEAL ACT 167 OF THE SESSION LAWS OF 1913, ENTITLED "AN ACT TO APPROPRIATE FIFTEEN THOUSAND DOLLARS (\$15,000.00) TO FACILITATE AND EXPEDITE THE GRANTING OF CERTAIN PREFERENCE RIGHTS ON THE

Act 150. Preference Right Lots, South Hilo.
Act 151. Naval Militia.

GOVERNMENT LANDS OF PIIHONUA AND WAIAKEA, SOUTH
HILO, COUNTY OF HAWAII, TERRITORY OF HAWAII."

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Act 167 of the Session Laws of 1913, entitled "An Act to Appropriate Fifteen Thousand Dollars (\$15,000.00) to Facilitate and Expedite the Granting of Certain Preference Rights on the Government Lands of Piihonua and Waiakea, South Hilo, County of Hawaii, Territory of Hawaii," is hereby repealed.

SECTION 2. This Act shall take effect from the day of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 151

AN ACT

TO PROVIDE FOR A NAVAL MILITIA OF THE TERRITORY OF
HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The governor is hereby authorized to organize a naval militia to consist of not more than four divisions and to be known as the Naval Militia of the Territory of Hawaii.

The naval militia shall be a portion of the organized militia of the Territory and shall conform to such regulations as may be prescribed by the Secretary of the Navy.

Act 151. Naval Militia.

Within 60 days after this Act becomes of force there shall be appointed by the governor a commission of five to be known as the Naval Militia Board and who shall serve without compensation for such service. Three members of this board shall consist of the commanding officer of the naval militia, one staff officer of the naval militia and one other commissioned officer of the naval militia with the rank of lieutenant or higher.

The naval militia board shall direct and audit the expenditure of all sums of money appropriated or available for the use of the naval militia. The senior commissioned officer of naval militia shall be chairman of the naval militia board. He may call special meetings of the board when it becomes necessary or expedient by giving ten days' notice of said meeting; provided, however, such meetings may be held at any time without such notice upon the consent of all of said members of the board. The naval board shall hold regular quarterly meetings at Honolulu, at the established headquarters of the board. The naval board shall keep a record of the proceedings, and is authorized to employ a secretary capable of attending to the technical details of the board, who shall keep a record of its meetings. It is authorized to arrange for the headquarters of the naval militia in the armory or armories in the Territory as the governor may designate and provide necessary stationery and furniture; to provision such ship or ships as may be loaned this Territory by the United States, and to provide suitable moorings for the same; to promulgate and submit to the governor for his approval such rules and regulations for the government of the naval militia as it deems for the good of the service, which rules and regulations, when approved by the governor, shall govern said naval militia the same as the rules and regulations of the United States Navy govern the navy of the United States. Said rules and regula-

Act 151. Naval Militia.

tions to be promulgated shall conform as near as practicable to the articles, rules and regulations of the United States Navy. The articles, rules and regulations of the United States Navy shall govern the naval militia until otherwise ordered by the governor on the recommendation of the naval board. A member of the naval board shall hold office four years. Three or more members of said board shall constitute a quorum for the transaction of business.

SECTION 2. Divisions may be formed in the discretion of the governor, on the Islands of Oahu, Maui, Hawaii and Kauai, not to exceed the maximum force of four divisions for the Territory.

SECTION 3. The governor as commander-in-chief of the militia of the Territory, is hereby authorized to prescribe the organization for the naval militia of the Territory of Hawaii, in such manner and form as to make the said organization conform to the requirements for the naval militia under the laws of the United States:—and for that purpose he shall have the power to alter, divide, annex, consolidate, disband, organize or reorganize the whole or any unit or part of the naval militia of the Territory of Hawaii, so as to conform to any organization system, drill, instruction or discipline which is now or may hereafter be prescribed by law for the organization, government and discipline of the naval militia of the United States, and for that purpose the number of commissioned warrant or petty officers, of any grade or rating in any organization of the said naval militia, may be increased or diminished, and the designation and grade or rating of any such officers may be altered to the extent necessary to secure such uniformity.

SECTION 4. The officers of the naval militia shall be appointed by the governor and shall consist of a commander, a lieutenant-commander, and a surgeon and a paymaster, each with rank of lieutenant, and such other officers as may be designated by the Secretary of the Navy.

Act 151. Naval Militia.

The term of commission shall be for four years.

SECTION 5. The term of service for enlisted men shall be three years for the first enlistment and two years thereafter.

The requirements for enlistment and discharge shall be as prescribed by the Secretary of the Navy.

SECTION 6. The articles for the government of the United States Navy shall be applicable to and shall govern the naval militia of the Territory of Hawaii in so far as they are not inconsistent with the laws of this Territory.

SECTION 7. The governor is authorized to apply to the navy department of the United States for the loan of a vessel or vessels for the use of the naval militia and for the detail of commissioned, warrant or petty officers of the navy to act as inspectors or instructors.

A battalion of naval militia shall be considered the equivalent of a battalion of land militia and a division of naval militia shall be considered the equivalent of a company of land militia and equal in the territorial service, and they shall be entitled to equal rights, privileges and allowances when not inconsistent with law.

SECTION 8. When engaged in exercises afloat or participating in encampments for instruction ashore, and when serving on general courts-martial, officers and men shall receive the same pay as is at the time allowed by law to those holding similar positions in the United States Navy.

SECTION 9. This Act shall take effect from and after the date of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 152

AN ACT ✓ ✓

Am. Act. 3 1917 3AND ACT. 223 S. L. 1923

TO AMEND SUB-DIVISION 1 OF SECTION 28 OF THE REVISED
LAWS OF HAWAII, 1915, RELATING TO PRIMARY LAW.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That Subdivision 1 of Section 28 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"1. The primary shall be held at the regular polling place in each precinct on the first Saturday of October in the year 1916, and biennially thereafter; provided, that in such county or counties or city and county where an election of county officers has by law been fixed to take place at any time other than that of the general territorial election, a primary shall also be held on the first Saturday of the first month preceding such election month, and biennially thereafter, for the election of such county officers."

SECTION 2. This Act shall take effect upon its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 153. Palolo Reservoir.

ACT 153

AN ACT

TO PAY HONOLULU PLANING MILL COMPANY, LIMITED, MONEYS WRONGFULLY WITHHELD FROM IT UNDER THE TERMS OF A CONTRACT ENTERED INTO WITH THE TERRITORY OF HAWAII FOR CONSTRUCTING A RESERVOIR ON PALOLO HILL, HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That the sum of nine hundred dollars (\$900.00) be and hereby is appropriated out of any moneys in the treasury received from the general revenues of the Territory to pay Honolulu Planing Mill Company, Limited, moneys wrongfully withheld from it under the terms of a contract entered into with the Territory of Hawaii for constructing a reservoir on Palolo Hill, Honolulu, under date of September 18, 1913.

SECTION 2. This Act shall take effect from the date of its approval.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 154. Transferring Water License Moneys to General Funds.
Act 155. Delinquent Income Tax.

ACT 154X

AN ACT

TO TRANSFER TO GENERAL FUNDS THE BALANCES IN THE
TREASURY UNEXPENDED AND UNCONTRACTED FOR ON
JUNE 30, 1915, IN THE SPECIAL FUND CREATED BY SEC-
TION 484 OF THE REVISED LAWS OF HAWAII, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. All funds in the treasury unexpended and un-
contracted for, in the special fund created by Section 484 of
the Revised Laws of Hawaii, 1915, are hereby transferred to,
and shall constitute a part of, the general funds of the Terri-
tory.

SECTION 2. This Act shall take effect on June 30, 1915.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 155

AN ACT

TO AMEND SECTION 1315 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO INCOME TAX.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1315 of the Revised Laws of Hawaii,
1915, is hereby amended to read as follows:

"Section 1315. When tax payable; delinquency. The
taxes on income imposed by this chapter shall be due and pay-

Act 155. Delinquent Income Tax.

able on the first day of January of each year; and all such taxes remaining unpaid on the 15th day of May shall thereby and thereupon become delinquent as to one-half of the amount due, and the balance of the taxes remaining unpaid on the 15th day of November shall thereby and thereupon become delinquent. A penalty of ten per cent. shall be added by the assessor to the amount of all delinquent taxes, which penalty shall be and become a part of such tax and shall be collected as part of such tax. Any delinquent tax and penalty remaining unpaid fifteen days after the date of delinquency shall bear interest from the date of the expiration of said fifteen days at the rate of one per cent. for each month or fraction of a month until paid, which interest shall be and become a part of such tax and shall be collected as part of such tax.

In case any person or corporation having a taxable income shall fail to render any return or list as required by law, or shall render a false or fraudulent return or valuation, and the assessor shall fail to levy any tax or a sufficient tax upon the income of such person or corporation prior to May 15, such tax shall be considered delinquent as to the halves thereof unpaid on May 15th and November 15th, respectively."

SECTION 2. This Act shall take effect upon its approval.

Approved this 24th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 156. Fishing Boats.
Act 157. Election Proclamations.

ACT 156

AN ACT

Am. Act. 85 1915 114

TO AMEND SECTION 2031 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO FISHING BOATS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2031 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 2031. Fee. The annual fee for a license for a fishing boat shall be five dollars (\$5.00). Any boat used for the purpose of fishing for profit that has a beam of thirty inches or more shall be deemed a fishing boat for the purpose of this section.

The owner of every licensed boat shall have and keep the number of the license painted conspicuously on both sides of the bow of such boat."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 24th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 157

AN ACT

Am. Act. 83 S. L. 1921

TO AMEND SECTIONS 1537 AND 1683 OF THE REVISED LAWS
OF HAWAII, 1915, RELATING TO ELECTION PROCLAMA-
TIONS FOR COUNTY AND CITY AND COUNTY ELECTIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1537 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

Act 157. Election Proclamations.**Act 158. Homestead Road, Kaimu, Puna.**

“Section 1537. Proclamation. At least thirty days before a general or special election of the county officers of the counties of Hawaii, Maui and Kauai, the board of supervisors of each of said counties shall issue a proclamation concerning such election and transmit copies of the same to the several boards of inspectors of election throughout such county, and such proclamation shall be posted in the manner required by law.”

SECTION 2. Section 1683 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 1683. Proclamation. At least thirty days before a general or special election, the mayor shall issue a proclamation concerning city and county elections and transmit copies of the same to the several boards of inspectors of election throughout the city and county, and such proclamation shall be posted in the manner required by law.”

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 24th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 158 ✕

AN ACT

TO CONSTRUCT A HOMESTEAD ROAD THROUGH THE UPPER
KAIMU HOMESTEAD LOTS, DISTRICT OF PUNA, COUNTY OF
HAWAII, BY MAKING AN APPROPRIATION OUT OF THE BAL-

Act 158. Homestead Road, Kaimu, Puna.

Act 159. Homestead Road, Waianae.

ANCE OF THE FUND AVAILABLE FOR HOMESTEAD ROADS,
HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of two thousand dollars (\$2,000.00), or as much thereof as may be necessary, is hereby appropriated out of the balance of the fund available for homestead roads, Hawaii, for the construction of a road through the upper Kaimu Homestead Lots, District of Puna, County of Hawaii.

SECTION 2. The said sum of two thousand dollars (\$2,000.00) hereby appropriated shall be disbursed on warrants drawn by the auditor, based upon vouchers approved by the superintendent of public works, who shall have charge of the construction of said road.

SECTION 3. This Act shall take effect upon its approval.

Approved this 24th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 159X

AN ACT

APPROPRIATING TWO THOUSAND DOLLARS (\$2,000.00) FOR
THE CONSTRUCTION OF A HOMESTEAD ROAD THROUGH THE
LUALUALEI HOMESTEADS, DISTRICT OF WAIANAE, ISLAND
OF OAHU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of two thousand dollars (\$2,000.00) is hereby appropriated out of the balance of the fund available

Act 159. Homestead Road, Waianae.

Act 160. Honolulu Municipal Election.

for homestead roads, Honolulu, for the construction of a homestead road through the Lualualei Homesteads, District of Waianae, Island of Oahu.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 24th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 160

AN ACT ✓✓

Am. Act 5 1915 5

TO AMEND SECTION 1687 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO THE ELECTION OF CITY AND COUNTY OFFICERS OF THE CITY AND COUNTY OF HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1687 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

“Section 1687. Date of election. All general elections of officers of the City and County of Honolulu, held after 1915, shall be held on the first Tuesday after the first Monday in the month of May, 1917, and every second year thereafter; and such officers shall take office at 12 o'clock meridian on the first day in the month of July following their election, unless such day be a Sunday, in which case they shall take office on the second day of such month. The officers of the said city and county, elected in 1914, shall hold office until their successors, to be elected in the year 1917, shall be so elected and qualified.

Act 160. Honolulu Municipal Election.

Act 161. Pension for Captain Berger.

The expenses of such elections shall be paid by the City and County of Honolulu."

SECTION 2. This Act shall take effect upon its approval.

Approved this 24th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 161 X

AN ACT

MAKING APPROPRIATION FOR THE BENEFIT OF CAPTAIN HENRI
BERGER.

WHEREAS, Captain Henri Berger has for a period of more than forty years served in the capacity of Bandmaster of the Hawaiian Band; and

WHEREAS, during said long term of service, the services of the said Captain Henri Berger have been eminently faithful and satisfactory and have proved a matter of advantage and gratification to the entire Territory of Hawaii; and

WHEREAS, the said Captain Henri Berger is now in failing health and contemplates early retirement from his position as Bandmaster as aforesaid; Therefore,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The treasurer of the Territory of Hawaii is hereby authorized and directed to pay, upon warrants to be issued by the auditor of the Territory of Hawaii, the sum of one hundred and twenty-five dollars (\$125.00) each month to Captain Henri Berger, and to continue so to do for and during the

Act 161. Pension for Captain Berger.

Act 162. Land Registration.

remainder of the life of the said Captain Henri Berger; such payments are hereby appropriated out of moneys received in the treasury of the Territory from the general revenues.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 24th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 162

AN ACT ^{✓✓}

TO AMEND SECTION 3167 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO LAND REGISTRATION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3167 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto the following paragraph:

“The map or plan may be referred by the court to the surveyor of the Territory, who shall cause same to be verified and checked on the ground, and a proper report of his findings made to the court.

Provided, however, that in all cases wherein the Territory of Hawaii is an applicant for a registered title or in any other way directly interested in any application for a registered title, as indicated by the examiner's report thereon, the court shall refer said map or plan to a competent surveyor in private prac-

Act 162. Land Registration.

Act 163. Kewalo Fill Contract.

tice who shall cause same to be verified and checked on the ground and a proper report of his findings made to the court."

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 163 ✓

AN ACT

TO REIMBURSE LORD-YOUNG ENGINEERING COMPANY, LIMITED, FOR LOSSES SUSTAINED IN ATTEMPTING TO CARRY OUT THE TERMS OF A CONTRACT ENTERED INTO WITH THE TERRITORY OF HAWAII FOR FILLING UNSANITARY LANDS IN KEWALO DISTRICT, HONOLULU.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The superintendent of public works is hereby authorized and empowered to expend, from the sanitation revolving fund, not more than thirty-two thousand one hundred twelve and 63/100 dollars (\$32,112.63), for the purpose of reimbursing Lord-Young Engineering Company, Limited, for losses sustained in attempting to carry out the terms of that certain contract entered into with the Territory of Hawaii on or about May 23, 1912, for filling certain unsanitary lands in Kewalo District, Honolulu.

SECTION 2. Before paying any portion of said sum to the company, the superintendent shall first satisfy himself that no overpayments have been made by the Territory to the company under the contract; if he shall find that any overpayments have

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been made, he shall deduct the same from the amount available under this Act.

Before paying any portion of said sum to the company, the superintendent shall further satisfy himself that the company has removed all the pipes and pipe-lines and other material from the fill and has replaced and repaired any damage that may be done to any streets, highways and alleys and remove any debris or obstructions thereon placed by said company; if the company shall fail to comply with the requirements of the superintendent in this regard, he shall deduct from the amount available under this Act such amount as he shall decide to be necessary to compensate for such failure.

The superintendent shall retain from the amount available under this Act such sum or sums as he shall deem necessary, to compensate any owner or occupants of any land, for damages for improper or incomplete fill and for damages for destruction of any property not repaired or restored.

All such claims shall be in writing, shall set forth the nature and extent of the damage and the amount of compensation claimed therefor, shall be supported by the oath or affirmation of the claimant, and shall be filed as aforesaid on or before the first day of October, 1915.

SECTION 3. This Act shall take effect from the date of its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 164. Street Improvements, Honolulu.

ACT 164

Amd. Act 239 S. L. 1917

Amd. Act 75 S. L. 1921

AN ACT

AND ACT 54 S. L. 1923

RELATING TO THE OPENING AND IMPROVEMENT OF HIGHWAYS,
AMENDING SECTIONS 1793, 1794, 1795, 1796, 1797, 1798,
AND 1799 OF CHAPTER 112 OF THE REVISED LAWS OF
HAWAII, 1915, AND REPEALING SECTIONS 1773 TO 1792,
INCLUSIVE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1793 of the Revised Laws of Hawaii,
1915, is hereby amended to read as follows:

“Section 1793. Method. Whenever in the opinion of the
Board of Supervisors of the City and County of Honolulu it
is desirable to establish, open, extend, widen or alter any street,
alley or other highway in the District of Honolulu, or to grade,
pave, curb, or macadamize or otherwise improve the whole or
any part of any existing public street, alley or other highway in
the District of Honolulu or otherwise to improve the same to
an extent exceeding maintenance and repair thereof, such bet-
terments or improvements shall be made and done under the
provisions of Sections 1793 to 1813, inclusive, of this chapter;
and the cost thereof, including the cost of acquiring any new
land therefor, shall be assessed against the land benefited, either
on a frontage basis or according to area of the land within an
improvement district; and the City and County of Honolulu
shall issue and sell bonds to provide the funds for such improve-
ments, which bonds shall be secured by such assessments as a
lien upon the lands assessed; and for such purposes, whenever
the cost of the improvement is to be assessed on an area basis,
the board of supervisors is hereby invested with power and is
hereby authorized to create, define and establish improvement
districts; all according to the provisions of Sections 1793 to
1813, inclusive, of this chapter.

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Provided, that whenever any public land, or any land by law exempted from assessments of the character provided for in this Act, or exempted by law from payment of property taxes, forms part of any improvement district or fronts upon any street, alley, or other highway to be opened or improved, and would, if privately owned or not exempt from such assessment, be subject to assessment, the board shall nevertheless, without assessing such public or exempted land for any part of the cost of such improvements, by general ordinance appropriate and pay toward such improvements out of general revenues the portion of the cost thereof which would otherwise be assessable against the same; and with respect to any such proposed improvement where any part of the cost is thus to be borne by the city and county, the board shall have the same right of approval or protest as though the city and county were the private owner of the public or exempted land so involved.

And provided, further, that it shall be lawful for the City and County of Honolulu to assume and pay out of general revenue all or any part of the cost of acquiring any new land required for any such improvement, or of improvement of a main or general thoroughfare, in either case by appropriation therefor by general ordinance. A main or general thoroughfare within the meaning hereof shall be any street or highway as is subjected to more than ordinary traffic and travel by the general public, or which serves as a generally necessary connecting thoroughfare between substantially different or naturally separated localities or sections of Honolulu. Whenever it is proposed in any improvement proceeding, whether initiated by the board of supervisors or by property owners, that any street to be improved shall be deemed and declared a main or general thoroughfare for the improvement of which a part of the cost is proposed to be borne by the city and county, such street or streets shall be so designated and described in the initial resolution or petition with a statement of the proportion

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of the cost of the improvement thereof which it is proposed shall be borne by the city and county.”

SECTION 2. Section 1794 of said Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 1794. Initial procedure. The board shall, by resolution requiring not more than one reading for its adoption, propose the making of any such improvement or improvements, and specify the general character and extent thereof, and whether or not any new land is proposed to be acquired, and whether any street to be improved is proposed to be classed as a main or general thoroughfare and, if so, what proportion of the cost of improving such main or general thoroughfare is proposed to be borne by the city and county, the materials proposed to be used, (which may include materials of such character as will not admit of competition), and whether the cost of the same is to be provided by assessment per front foot against the land abutting upon such highway, or per square foot according to area of the land within an improvement district, the general boundaries of any improvement district proposed and the sub-districts or zones, if any, within such improvement district against which different proportions of the cost are intended to be charged, and any other proper matters or details intended to apply thereto, and direct the city and county engineer to prepare and furnish all necessary surveys, maps, plans, drawings, and other data, details and specifications for the proposed improvements as may be proper or necessary, together with detailed estimates of the probable cost thereof, and showing specifically an estimate of the value of each parcel of new land to be acquired, if any, and the maximum share of each estimate, per front foot if the assessment is to be made on a frontage basis, or per square foot if the assessment is to be according to area within an improvement district, including the different proportions of cost to be assessed against the sub-districts or zones, if any, within such improvement district; all in such

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detail and form as will readily show the approximate share of the total cost that would be assessable against each parcel of land to be assessed, and the part or proportion, if any, proposed to be borne by the city and county as aforesaid.

When such data has been made and furnished and by like resolution, approved by the board, the board shall by advertisement for ten consecutive days, exclusive of Sundays and legal holidays, in some newspaper of general circulation printed and published, in Honolulu, give notice to the owners, lessees and occupants of the land proposed to be assessed as well as of any new land proposed to be acquired, and to all persons interested generally, of the general character and extent of the improvements proposed, the part or proportion of cost, if any, proposed to be borne by the city and county as aforesaid, the materials proposed to be used, the proposed method of assessment, a particular description of the land to be acquired, if any, and of the frontage or improvement district to be assessed, the probable cost of such improvements, and the maximum share of each estimate of cost per front foot, if the assessment is to be made on a frontage basis, or per square foot, if the assessment is to be made according to the area of land within an improvement district, including the different proportions to be charged against the lands in the different sub-districts or zones, if any, within such improvement district; together also with notice that the map and general plans and other data so prepared by the engineer with respect to the proposed improvements may be seen and examined, by any person interested, at the office of the city and county engineer at any time during business hours prior to the date fixed for the hearing; and also fixing a date and place when a public hearing will be had respecting the proposed improvements and a full opportunity given to all persons interested to present suggestions or objections to the proposed improvements or any part or detail thereof, which date shall not be less than three weeks after the first publication of such notice."

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SECTION 3. Section 1795 of said Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 1795. Protest by owners. If the owners of fifty-five per cent. of the total frontage or area to be assessed for such improvements shall at the hearing or prior thereto file with the supervisors a written protest duly acknowledged by such owners against the making of such improvement or against any part of the plan therefor, the same shall not be made contrary to such protest. If the protest is against the making of any improvement, the same shall not be made, and the proceedings shall not be renewed within six months thereafter unless under the provisions of Section 1797 of this chapter.”

SECTION 4. Section 1796 of said Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 1796. Determination by supervisors. After the hearing provided in Section 1794 of this chapter, and if sufficient protests have not been filed, the board shall proceed to determine whether or not the proposed improvements shall be made as proposed, or made with modifications, and in the latter event modifications or changes reducing the frontage or area to be assessed or lessening the unit cost per front foot or square foot may be made without again giving notice of a hearing as provided in Section 1794, provided, such modifications or changes shall not materially alter the general character or plan so advertised. If, after such initial or further advertisement and hearing when no changes are made which will require further advertisement or hearing, the board shall have determined to proceed with the improvements, they shall, by resolution requiring not more than one reading for its adoption, create, define and establish the extent of the frontage or the improvement district to be assessed, as the case may be, and define the kind, extent and general details of the proposed improvements, describe each parcel of land to be acquired, if any, declare the

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part or proportion of the cost of the improvement which is to be borne by the city and county as aforesaid, the method of assessment, and the kind or kinds of materials to be used, and by such resolution further direct the city and county engineer to prepare a corrected map of the highway or highways to be improved showing the abutting lands, or of the improvement district showing the highways therein to be improved, as the case may be, and showing the exact location of the improvements, together with final details, plans and specifications for the work; all in such form as will readily permit and encourage genuine competition between contractors in so far as the materials specified will permit of such competition; and the same, when by resolution similarly approved and adopted by the board, shall be used as the basis for the calling of bids and awarding of a contract or contracts for the work as hereinafter provided.

In case such improvements so determined upon shall require the acquisition of any new land therefor, the board of supervisors shall acquire the same before proceeding with the proposed improvement, either by deed, or other voluntary conveyance from the owners thereof at a price or cost not to exceed the estimate of the value thereof which has been advertised as aforesaid, or they may, at their option, and in the name of the City and County of Honolulu cause condemnation proceedings to be brought to acquire the same in like manner as by law now or hereafter provided for like proceedings when brought by the superintendent of public works."

SECTION 5. Section 1797 of said Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 1797. Petition by owners. If the owners of sixty per cent. of the frontage upon any street, alley or highway designated by them, or of sixty per cent. of the area of land designated by them as a proposed improvement district, shall file with the board of supervisors a petition duly acknowledged

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by such owners requesting the opening or improvement of any such street, alley or highway, or of the streets, alleys or highways in such proposed improvement district, together with the surveys, maps, plans and other preliminary data and estimates mentioned in Section 1794 in the case of a proceeding initiated by the board, the board shall thereupon proceed thereon in the same manner as though the plan for such improvements had been initiated on their own motion; and the cost of such preliminary surveys, maps and other data, if not in excess of the estimate therefor stated in such petition, shall be deemed part of the cost of the improvement. Provided, however, that upon such petition the board shall not have power to abandon such proceedings or make any change or modification of such plans or the details or specifications for the proposed improvements without the written and duly acknowledged consent of the owners of not less than sixty per cent. of the frontage or area of the land to be assessed; except that the board may decline to acquiesce in or may modify any part of such plan which contemplates the payment by the city and county of any part of the cost of acquiring new land or of any part of the cost of improving any main or general thoroughfare, and in such event, if the owners of sixty per cent. of the frontage or property to be assessed shall in writing acquiesce in any such change or modification, the board shall be bound to proceed with the plan as so modified."

SECTION 6. Section 1798 of said Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 1798. Contract, bids, bond. All improvements made under the provisions of Sections 1793 to 1813, inclusive, of this chapter shall be constructed under contract let to the lowest responsible and reliable bidder therefor after public advertisement by the supervisors for not less than ten days in some newspaper of general circulation, published in said city and county; provided, however, that such advertisement shall

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not be required in cases where the only material specified is such as does not admit of competition; but if the improvements to be made require any particular street or streets or part of any street to be paved with materials which will not admit of competition, the supervisors may nevertheless either advertise for bids and let the work as an entire contract, or, in their discretion, advertise for bids and make one or more contracts separately for the work upon the streets to be paved with materials which will admit of competition, and make a separate contract or contracts, without advertisement for bids, for the work (including foundation construction) upon streets to be paved with materials which will not admit of competition. No bid shall be considered unless accompanied by a certified check, or its equivalent, payable in and in favor of the city and county, for not less than ten per cent. of the amount bid; which check, or equivalent, shall be forfeited to the city and county unless the successful bidder shall sign the contract and furnish an approved bond within ten days after the contract is awarded. No bid in excess of the estimated cost shall be accepted by the supervisors without the written and acknowledged approval of the owners of at least sixty per cent. of the frontage or area to be assessed as the case may be; and the supervisors shall have the right to reject any and all bids and in such case to readvertise for tenders if they deem it advisable to do so; provided, always, that if the owners of sixty per cent. of the frontage or area to be assessed shall in writing, duly acknowledged, in any case request a readvertisement for bids, or the acceptance of any bid or bids covering the work, such request shall in each instance be binding upon the supervisors. But no contract shall be made until the assessment hereinafter provided shall have been finally made, nor without a bond to the city and county for the faithful performance of such contract in an amount not less than the contract price, with at least two sufficient sureties each of whom shall be worth not less than the full amount of the

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bond over and above all property exempt from execution, and who shall, upon the written demand of the supervisors or of any owner of property subject to assessment, be required to justify thereon on an examination under oath before a judge of the first circuit court. If upon such examination any surety shall be held insufficient, a new bond with sufficient sureties shall be filed by the successful bidder within five days thereafter, or the contract shall not be awarded and the deposit shall be forfeited. Upon the contract being signed and a sufficient bond furnished as aforesaid, the deposit made with the bid shall be returned to the contractor. Any other method of letting contracts shall be illegal and void."

SECTION 7. Section 1799 of said Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 1799. Notice after improvement authorized. Before the letting of any contract as aforesaid, the supervisors shall cause a corrected map to be prepared by the city and county engineer similar to that required under Section 1794, showing in detail the proportionate amount per front foot if the assessment is to be made on such basis; or per square foot if the assessment is to be made according to area proposed to be assessed against the property in the benefited district or in the several sub-districts or zones thereof, if any, and a list of all known owners, lessees and occupants of the land fronting upon such highway or situate within the improvement district; and shall thereupon by advertisement in the same manner as that provided in said Section 1794, give notice of the total amount of the cost of the improvement based upon the bid of the lowest responsible and reliable bidder, the maximum share per front foot or per square foot, as the case may be, proposed to be charged to the benefited district or sub-districts or zones, if any, and that the corrected map may be seen and examined at the office of the city and county engineer during business hours at any time prior to the date fixed for hearing; such

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Act 165. Commutation of Punishment.

notice shall also fix a date and place when a public hearing will be had and the supervisors will sit as a board of equalization to receive complaints or objections respecting the method of apportionment, or respecting the proposed several assessments, which date shall not be less than one week nor more than two weeks after the date of the first publication of the notice."

SECTION 8. Repeal. Sections 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, and 1792 of the Revised Laws of Hawaii, 1915, are hereby repealed.

SECTION 9. Existing proceedings. Nothing in this Act contained shall operate to affect any proceedings begun and pending at the time of the passage of this Act.

SECTION 10. This Act shall take effect upon the date of its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 165

AN ACT

RELATING TO COMMUTATION OF PUNISHMENT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Every person who has been or may hereafter be convicted of any felony under any law of the Territory of Hawaii and is confined in execution of the judgment or sentence upon any such conviction in any prison or jail in the Territory for a term other than for life, whose record shows continued

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Act 165. Commutation of Punishment.

good behavior or meritorious conduct, may be allowed a deduction from the term of his sentence to be estimated as follows, beginning on the first day of his arrival at such prison or jail: Upon a sentence of not less than six months nor more than one year, five days for each month; upon a sentence for more than one year and less than three years, six days for each month; upon a sentence of not less than three years and less than five years, seven days for each month; upon a sentence of not less than five years and less than ten years, eight days for each month; upon a sentence of ten years or more, ten days for each month. When a prisoner has two or more sentences, the aggregate of his several sentences shall be the basis upon which his deduction shall be estimated.

SECTION 2. Every person who has been or may hereafter be convicted of any misdemeanor under any law of the Territory of Hawaii, or of any political subdivision thereof, and is confined in execution of the judgment or sentence upon any such conviction in any prison or jail in the Territory for any definite term, may be allowed a deduction from his term of sentence if, upon his request in writing, he shall perform service or labor upon any public work, the same to be estimated at the rate of one day for each five days in which such service or labor is performed. In reckoning the number of days in which such service or labor is performed Sundays shall be included.

SECTION 3. Whenever a prisoner convicted of a misdemeanor shall make the request referred to in the foregoing section, it shall be the duty of the officer under whose control or in whose custody he may be to place the said prisoner upon some public work. 137
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SECTION 4. The deduction of sentence provided by this Act shall be allowed prisoners sentenced before this Act takes effect, but shall be allowed only from such date. The deduction of sentence lawfully allowed any prisoner before the date this Act

Act 165. Commutation of Punishment.

Act 166. Game Birds.

takes effect shall be noted upon the record of such prisoner and added to the deduction of sentence allowed him under the provisions of this Act.

SECTION 5. Any and all laws in conflict with this Act are hereby repealed.

SECTION 6. This Act shall take effect from and after the date of its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Amd. Act. 197 S. L. 1921

ACT 166

AN ACT ✓

TO AMEND SECTION 594 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE CLOSE SEASON FOR GAME BIRDS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 594 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 594. Close season; punishment. It shall be unlawful to take, kill or destroy any migratory wild duck, plover, snipe, turnstone, curlew, stilt or mud-hen between the first day of May and the first day of October;

To take, kill or destroy any native wild duck between the first day of February and the first day of October; provided, however, that from and after October 31st, 1915, until October 31st, 1918, it shall be unlawful to take, kill or destroy any native wild duck;

To take, kill or destroy any quail or pheasant between the first day of February and the first day of October;

Act 166. Game Birds.

To take, kill or destroy any wild dove or wild pigeon between the first day of February and the first day of July; it shall be unlawful to take, kill or destroy in any one day more than twenty-five migratory wild ducks, plovers, snipes, turnstones, curlews, stilts or mud-hens, native wild ducks, wild doves or wild pigeons, nor more than seven cock-pheasants in any one day;

To take, gather or destroy any eggs of any wild duck, mud-hen or stilt, pheasant, dove, wild pigeon or quail at any time; to buy, sell or offer for sale, transport or have in possession any of said game at any time when it is unlawful to kill the same;

To take, kill or destroy any skylarks or hen-pheasants; to take, gather or destroy any eggs of such skylarks or hen-pheasants at any time; or to buy, sell or offer for sale, or have in possession skylarks at any time;

To take, kill or destroy any wild peacock in the City and County of Honolulu prior to the first day of October, 1920;

Any person convicted of violating any of the provisions of this section shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), or be imprisoned for a term of not less than seven days nor more than six months; one-half of the fine imposed, in cases of conviction, to be paid to the informer."

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 167. Criminal Procedure.

ACT 167

AN ACT

RELATING TO CRIMINAL PROCEDURE IN CIRCUIT COURTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Bill of particulars. If the court is of the opinion that the accused in any criminal case has been actually misled and prejudiced in his defense upon the merits by any defect, imperfection or omission in the indictment, insufficient to warrant the quashing of the indictment, or by any variance, not fatal, between the allegations and the proof, the prosecuting officer shall, when so ordered by the court, acting upon its own motion or upon motion of the prosecution or defendant, file in court and serve upon the defendant, upon such terms as the court shall impose, a bill of particulars of the matters in regard to which the court finds that the defendant should be informed.

In determining whether further information, and if so what information, is desirable for the defense of the accused upon the merits of the case the court shall consider the whole record of the case and the entire course of the proceedings against the accused.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 168. Entertainment of Congressmen.

ACT 168 ✓

AN ACT

TO PROVIDE AN ADDITIONAL APPROPRIATION OF THE SUM OF TEN THOUSAND DOLLARS (\$10,000.00) TO PAY FOR THE ENTERTAINMENT AND EXPENSES OF SUCH SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES AND OTHER DISTINGUISHED PERSONS AS MAY VISIT THE TERRITORY PRIOR TO JUNE 30, 1917.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of ten thousand dollars (\$10,000.00) is hereby appropriated to be paid out of any moneys received from the general revenues of the Territory to help to pay for the entertainment and expenses of such Senators and Members of the House of Representatives of the United States and other distinguished persons as may visit the Territory prior to June 30, 1917.

SECTION 2. The sum of ten thousand dollars (\$10,000.00) hereby appropriated shall be in addition to the sum of thirty thousand dollars (\$30,000.00) heretofore appropriated for said purpose by the terms of Act 4 of the Session Laws of 1915, approved February 25, 1915.

SECTION 3. The money hereby appropriated shall be under the control of and expended by the Secretary of Hawaii, with the approval of the Governor of Hawaii.

SECTION 4. This Act shall take effect and be in force from and after its approval.

Approved this 26th day of April, A. D .1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 169. Harbors.

ACT 169

AN ACT ✓ ✓

TO AMEND CHAPTER 49 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO HARBORS, BY AMENDING SECTIONS 683, 685, 687 AND 691, AND BY ADDING ONE NEW SECTION THERETO TO BE KNOWN AS SECTION 691A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 683 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 683. Board of harbor commissioners. Except as otherwise provided by law, all ocean shores below mean high water mark, shore waters and navigable streams, and all harbors and roadsteads, and all harbor and waterfront improvements, belonging to or controlled by the Territory of Hawaii, and all shipping within such harbors, roadsteads, waters and streams shall be under the care and control of a board of harbor commissioners. Said board shall consist of five members, one of whom shall be the superintendent of public works of the Territory who shall be chairman, ex officio, and four shall be appointed by the governor as provided in Section 80 of the Organic Act. Such commissioners shall be appointed for terms of four years or the unexpired periods thereof, in such manner that the terms of two commissioners shall expire every second year. Said terms shall begin on the first day of July. Provided, however, that upon the first appointments, two of said commissioners shall be appointed for terms ending June 30, 1913, and two for terms ending June 30, 1915.”

SECTION 2. Section 685 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 685. Powers and duties of board. Except as otherwise provided by law, said board shall have and exercise all

Act 169. Harbors.

the powers and shall perform all the duties which may lawfully be exercised by or under the Territory of Hawaii relative to the control and management of the shores, shore waters, navigable streams, harbors, harbor and waterfront improvements, ports, docks, wharves, quays, bulkheads and landings belonging to or controlled by the Territory, and the shipping using the same, and shall have the authority to use and permit and regulate the use of the wharves, piers, bulkheads, quays and landings belonging to or controlled by the Territory for receiving or discharging passengers and for loading and landing merchandise, with a right to collect wharfage and demurrage thereon or therefor, and, subject to all applicable provisions of law, to fix and regulate from time to time rates for services rendered in mooring vessels, charges for the use of moorings belonging to or controlled by the Territory, rates or charges for the services of pilots, wharfage or demurrage, rents or charges for warehouses or warehouse space, for office or office space, for storage of freight, goods, wares and merchandise, for storage space, for the use of donkey engines, derricks or other equipment belonging to the Territory, under the control of the board, and to make other charges except toll or tonnage charges on freight passing over or across wharves, docks, quays, bulkheads or landings. The board shall likewise have power to appoint and remove clerks, wharfingers and their assistants, pilots and pilot boat crews and all such other employees as may be necessary, and to fix their compensation; to make rules and regulations pursuant to this chapter and not inconsistent with law; and generally shall have all powers necessary fully to carry out the provisions of this chapter.

All moneys appropriated for harbor improvements, including new construction, reconstruction, repairs, salaries and operating expenses, shall be expended under the supervision and control of the board, subject to the provisions of this chapter and of Chapter 100.

Act 169. Harbors.

All contracts and agreements authorized by law to be entered into by the board shall be executed on its behalf by its chairman.

The board shall prepare and submit annually to the governor a report of its official acts during the preceding calendar year, together with its recommendations as to harbor improvements throughout the Territory."

SECTION 3. Section 687 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 687. Rules and regulations. The board may from time to time make, alter, amend and repeal such rules and regulations not inconsistent with law as it may deem necessary respecting the manner in which all vessels may enter and moor, anchor or dock in the shore waters, navigable streams, harbors, ports and roadsteads of the Territory, or move from one dock, wharf, bulkhead, quay, landing, anchorage or mooring to another within such waters, streams, harbors, ports or roadsteads; the examination, guidance and control of pilots and harbor masters and their assistants, and their conduct while on duty; the embarking or disembarking of passengers; the expeditious and careful handling of freight, goods, wares and merchandise of every kind which may be delivered for shipment or discharged on the wharves, docks, quays, bulkheads or landings belonging to or controlled by the Territory; and defining the duties and powers of carriers, shippers and consignees respecting passengers, freight, goods, wares and merchandise in and upon such wharf, landing, dock, quay or bulkhead. The board may also make further rules and regulations for the safety of the docks, wharves, landings, quays, bulkheads and harbor and waterfront improvements belonging to or controlled by the Territory.

Said board may also, from time to time, make, alter, amend and repeal such rules not inconsistent with law as shall be deemed necessary for the proper regulation and control of all shipping in the harbors, shore waters and navigable streams be-

Act 169. Harbors.

longing to or controlled by the Territory, and of the entry, departure, mooring and berthing of vessels therein, and for the regulation and control of all other matters and things connected with shipping in all such harbors, shore waters and navigable streams; and rules and regulations to prevent the throwing into such harbors, shore waters and navigable streams, of rubbish, refuse, garbage or other substances liable to make such harbors, shore waters and navigable streams unsightly, unhealthful or unclean, or liable to fill up or shoal or shallow such harbors, shore waters and streams, and likewise to prevent the escape of fuel or other oils into such harbors, shore waters and streams, either from any vessel or from pipes or storage tanks upon the land.

Any rules and regulations so made shall be published by said board in the manner prescribed for the promulgation of the laws of the Territory, and upon such publication shall have the force and effect of law."

SECTION 4. Section 691 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 691. Wharfage. All such water craft as shall lie idle alongside any wharf, pier, bulkhead, quay or landing belonging to or controlled by the Territory, and all such water craft as shall discharge or receive freight or passengers on or from any wharf, pier, bulkhead, quay or landing, belonging to or controlled by the Territory, while made fast or lying alongside of the same, shall pay to the said board such rates of wharfage as shall be fixed by said board, not exceeding two cents per ton per diem on the net registered tonnage of the vessel.

All such water craft as shall receive or discharge freight or passengers (1) from or upon any such wharf, pier, bulkhead, quay or landing by means of boats, lighters or otherwise, while lying at anchor or under steam in any bay, harbor or roadstead, or (2) while lying in any slip or dock belonging to or controlled by the Territory, but not made fast to or lying alongside of any

Act 169. Harbors.

wharf, pier, bulkhead, quay or landing, shall pay such rates of wharfage as shall be fixed by said board not exceeding one cent per ton per diem on the net registered tonnage of the vessel. Any water craft that shall leave any such wharf, pier, bulkhead, quay, landing, slip, dock, basin or waters without paying its wharfage and other charges, with intent to evade the payment thereof, shall be liable to pay double rates."

SECTION 5. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 691A, as follows:

"Section 691A. Demurrage, lien, foreclosure. When any freight shall have remained upon any wharf, pier, bulkhead, quay or landing for more than twenty-four hours, the board may, in its discretion, make such demurrage charges for each subsequent day or part thereof as in its opinion are just and equitable.

The amount payable by any shipper or consignee for demurrage or other charges in respect of any freight shall be a lien on the same, and the board, its officers, employees or servants may take and hold possession of any such freight to secure the payment of such amount, and for the purpose of such lien, shall be deemed to have possession of such freight until such amount shall be paid. If the charges due on such freight shall not be paid within thirty days after being landed, the board may sell the same at public auction and out of the proceeds retain the charges accrued, including the costs of advertisement and sale, which latter shall be pro rated upon the articles or lots advertised in proportion to the amount received for each article or lot. Before any such sale is made, the board shall publish a notice of the time and place of sale at least once each week for three successive weeks in some newspaper of general circulation printed and published in the county in which the place is located to which such freight is consigned or addressed, or if no such newspaper is printed and published therein, by

Act 169. Harbors.

Act 170. Public Utilities Commission.

posting such notice in the English and Hawaiian languages at the courthouses of the district in which such place is located; said notice shall contain a description of such property as near as may be, the name of the owner or consignee if known, the amount of charges due thereon, together with the time and place of said sale. Any freight in its nature perishable may be sold by the board either at public or private sale as soon as its condition makes a sale necessary.

The surplus, if any, received from such sale shall, after paying any accrued freight charges on the freight, be paid to the owner or consignee, if known, and if not known, shall be deposited in the territorial treasury as a special fund, which fund shall consist of the surplus received from sales made under this section. At any time within one year thereafter, upon written demand and proof of identity satisfactory to him, the treasurer shall pay the owner thereof said surplus. If such surplus be not claimed by the owner within one year after the date of sale it shall thereupon escheat to the Territory of Hawaii, and be transferred to the general funds of the Territory."

SECTION 6. This Act shall take effect July 1, 1915.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 170

AN ACT

✓ *Pub. Act 165 1915 315*

TO AMEND SECTION 2221 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO PUBLIC UTILITIES COMMISSION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2221 of the Revised Laws of Hawaii,
1915, is hereby amended so as to read as follows:

Act 170. Public Utilities Commission.

Act 171. Summary Possession.

“Section 2221. Number, appointment, salaries, of commissioners. There is created a public utilities commission of three members, who shall be called commissioners and who shall be appointed in the manner prescribed in Section 80 of the Organic Act for terms of three years, or the unexpired portions thereof, so that the term of one member shall expire on the thirtieth day of June in each year, beginning with the year 1914. One member shall also be appointed chairman of the commission. Each member of said commission shall receive compensation at the rate of ten dollars per day while actually engaged in the performance of his duties as such commissioner, and any member of the commission may be a salaried officer of the Territory or of any political subdivision thereof. No person owning any stocks or bonds of any public utility corporation, or having any interest, or deriving any remuneration from any public utility shall be appointed or employed by the commission.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 171

AN ACT

RELATING TO REMEDIES OF LANDLORDS, ADDING A NEW SECTION TO CHAPTER 154 OF THE REVISED LAWS OF HAWAII, 1915, TO BE KNOWN AS SECTION 2755A.

Act 171. Summary Possession.

Act 172. Extortion by Public Utility.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to Chapter 154 of the Revised Laws of Hawaii, 1915, to be known as Section 2755A, and to read as follows:

“Section 2755A. Joinder of other causes of action. In any action for summary possession begun under the provisions of Chapter 154, the plaintiff may join actions for rent, profits, damages and waste where these arise out of and refer to the land or premises whose possession is sought.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 172

AN ACT

RELATING TO EXTORTION BY ANY OFFICER, AGENT, OR EMPLOYEE OF A PUBLIC UTILITY CORPORATION, AND ADDING A NEW SECTION TO CHAPTER 229 OF THE REVISED LAWS OF HAWAII, 1915, TO BE KNOWN AS SECTION 3944A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to Chapter 229 of the Revised Laws of Hawaii, 1915, to be known as Section 3944A and to read as follows:

“Section 3944A. Whoever, being an officer, or agent or employee of a public utility corporation, as defined by Section 2238 of the Revised Laws of Hawaii of 1915, shall by coercion,

Act 172. Extortion by Public Utility.

Act 173. Eminent Domain.

duress, threat or the withholding of service of such utility from another, extort from another for his own use and benefit, or for the use and benefit of the said corporation, or a third person, any involuntary agreement or anything of value, knowing that he has not any legal authority, or right to exact the same, is guilty of extortion in the second degree."

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 173

AN ACT

EXTENDING THE USE OF THE POWER OF EMINENT DOMAIN UNDER CERTAIN CONDITIONS TO PUBLIC UTILITY COMPANIES ACTING UNDER A FRANCHISE GRANTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII AND APPROVED BY THE CONGRESS OF THE UNITED STATES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Any incorporated company organized under the laws of the Territory of Hawaii exercising a public utility, as defined by Section 2238 of the Revised Laws of Hawaii, 1915, under a franchise granted by the Legislature of the Territory of Hawaii and approved by Act of Congress, pursuant to Section 55 of the Organic Act, shall have the right, and is hereby vested with the power and authority, to acquire by the exercise of the right of eminent domain such real property, rights of way and interests in, over, across, under, and through any real

Act 173. Eminent Domain.

property which may be necessary for the purpose of said public utility. Provided, however, that this Act shall not be construed to hold or apply to any company now possessing the power of eminent domain under the laws of the Territory of Hawaii, nor as in any manner affecting the exercise of such power by such company.

SECTION 2. The power of eminent domain, granted by Section 1 of this Act, shall be exercised in the same manner and with like procedure as the power of eminent domain may be exercised by a railroad company under the provisions of Section 725 of the Revised Laws of Hawaii, 1915, and otherwise in accordance with all applicable provisions of the general laws of the Territory, and only, after the company desiring to exercise said power, has first obtained the written consent of the public utilities commission organized and acting under the provisions of Chapter 128 of the Revised Laws of Hawaii, 1915, to the institution of condemnation proceedings, such consent to be given only after investigation by said commission, and notice to the parties in interest and to the public an opportunity for said parties and the public to be heard.

SECTION 3. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 174. Territorial Insurance Fund.

ACT 174

AN ACT

Act No. ~~139~~ ²⁷⁷ of 1915

PROVIDING FOR AN INSURANCE FUND TO REPAIR OR REPLACE PROPERTY OF THE TERRITORY THAT MAY BE DAMAGED OR DESTROYED BY FIRE OR OTHER CASUALTY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The treasurer of the Territory of Hawaii shall set aside, as a special fund to be known as the "Territorial Insurance Fund," the sum of twenty thousand dollars (\$20,000.00) during the year 1915 out of the general funds in the treasury not otherwise appropriated, and twenty thousand dollars (\$20,000.00) annually thereafter.

SECTION 2. The treasurer of the Territory shall, with the approval of the governor, invest the "Territorial Insurance Fund," or so much thereof as may be deemed advisable, in interest-bearing securities issued by the Federal Government, the Territorial Government, or any sub-division thereof, or deposited in any savings bank or savings banks doing business in the Territory. The interest upon such securities shall be credited to the "Territorial Insurance Fund," provided, however, that whenever said "Territorial Insurance Fund" exceeds two hundred fifty thousand dollars (\$250,000.00), all excess shall be placed in the general funds of the Territory.

SECTION 3. The "Territorial Insurance Fund," or so much thereof as may be necessary, is hereby appropriated and shall, with the approval of the governor, be expended by the head of the proper department to repair or replace any buildings or other property of the Territory that may be injured or destroyed by fire or other casualty.

SECTION 4. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 175. Biennial Appropriations.

ACT 175

AN ACT

MAKING APPROPRIATIONS OUT OF THE GENERAL REVENUES FOR THE
BIENNIAL PERIOD ENDING JUNE 30, 1917.*Be it Enacted by the Legislature of the Territory of Hawaii:*

SECTION 1. The following sums are hereby appropriated, for the objects hereinafter expressed, for the biennial period ending June 30, 1917, out of moneys in the treasury received from the general revenues:

THE GOVERNOR.

Military Department:

Salaries, specific		\$ 11,400.00
Adjutant General (\$250.00)	6,000.00	
Clerk (\$100.00)	2,400.00	
Armorer (\$75.00)	1,800.00	
Janitor (\$50.00)	1,200.00	

Pay Roll		10,000.00
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Officers, enlisted men, as provided by Act 153, S. L. 1911, during field exercises, camps, rifle practice, military tournament, riots or disturbance of the peace.

Regimental expenses and company expenses:

Sundry expenses and equipment	9,000.00	
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Departmental expenses:

Sundry expenses and equipment	8,000.00	17,000.00
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Act 175. Biennial Appropriations.

CONTINGENT FUND.

From which expenditures may be made only with the approval of the Governor and only for urgent needs for which no specific appropriation or an insufficient specific appropriation is made herein or otherwise, a detailed account of all of which expenditures shall be submitted to the next Legislature. Provided, however, that no expenditure shall be made out of this fund to increase any salary..

Expenses, Entertainment	50,000.00	5,000.00	\$ 93,400.00
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THE SECRETARY.

Clerks, assistants, stenographers, messengers, Governor's and Secretary's offices	10,200.00		
Expenses, Governor's and Secretary's offices	3,600.00		
Printing, binding, indexing and advertising	1,200.00	15,000.00	
Hawaiian Birth Registration:			
Expenses of		5,000.00	
Elections:			
Expenses of		15,000.00	
Public Archives:			
Librarian (\$175.00)	4,200.00		
Expenses, copying, translating, printing, binding ..	6,500.00	10,700.00	

Act 175. Biennial Appropriations.

Promotion:

In support of promotion which fund may be expended in equal monthly contributions to the organization known as "Hawaii Promotion Committee," but only after such committee shall be reorganized by enlarging its membership to nine, four of said members to be appointed by the governor for terms of one year each or until a successor is appointed, and one of said members to be selected to represent each of the islands of Hawaii, Oahu, Maui and Kauai, upon the nomination of the board of county supervisors of the respective islands, acting in conjunction with the principal commercial or civic organization of the said islands

12,000.00

Industrial Accident Boards:

Expenses

15,000.00

Maintenance, Public Libraries:

Library of Hawaii

24,190.00

Hilo Public Library

5,500.00

29,690.00

Pensions:

Mrs. Emma Barnard (\$20.00)

480.00

Mrs. Mary Stolz (\$20.00)

480.00

Mrs. Mahelona (\$20.00)

480.00

Mrs. Abreu (\$20.00)

480.00

Mrs. Juan Riverra (\$15.00) ..

360.00

2,280.00 \$104,670.00

Act 175. Biennial Appropriations.

ATTORNEY GENERAL'S DEPARTMENT.

Salaries and Expenses		\$ 35,600.00	
Attorney General (\$350.00)	8,400.00		
First Deputy (\$300.00) . . .	7,200.00		
Second Deputy (\$250.00) . .	6,000.00		
Clerks, Stenographer and Expenses	14,000.00		
High Sheriff and Territorial Prison:			
Salaries		64,440.00	
High Sheriff and Prison Warden (\$225.00)	5,400.00		
Deputy High Sheriff and Clerk (\$150.00)	3,600.00		
Deputy Warden of Prison (\$125.00)	3,000.00		
Guards and lunas of pris- oners	52,440.00		
Expenses and Maintenance of prisoners		73,500.00	173,540.00

AUDITING DEPARTMENT.

Salaries		\$ 21,600.00	
Auditor (\$300.00)	7,200.00		
Deputy Auditor (\$225.00) .	5,400.00		
Clerks	9,000.00		
Expenses		3,000.00	\$ 24,600.00

TREASURY DEPARTMENT.

Salaries		\$ 28,600.00	
Treasurer (\$300.00)	7,200.00		
Registrar of Public Accounts (\$275.00)	6,600.00		

Act 175. Biennial Appropriations.

Deputy Bank Examiner and Clerk (\$200.00)	4,800.00	
Clerks, Stenographers and Assistants	10,000.00	
Expenses		15,000.00
Treasurer's office	4,500.00	
Deputy Bank Examiner, Expenses	1,500.00	
Insurance Law	4,000.00	
Official Bonds	5,000.00	
Interest, commissions and expenses, public debt		660,000.00
Bureau of Taxes, All Divisions:		
Tax Books and Blanks		8,000.00
Assessors' Salaries and Expenses		170,200.00
First Taxation Division, Oahu:		
Assessor (\$275.00)	6,600.00	
Deputy Assessor (\$200.00)	4,800.00	
Clerks, Interpreters, Commissions and Expenses..	65,000.00	
Second Taxation Division, Maui:		
Assessor (\$225.00)	5,400.00	
Deputy Assessors, Collectors, Clerks, Interpreters, Commissions and Expenses..	24,000.00	
Third Taxation Division, Hawaii:		
Assessor (\$225.00)	5,400.00	
Deputy Assessors, Collectors, Clerks, Interpreters and Commissions, including Expenses	34,000.00	
Fourth Taxation Division, Kauai:		
Assessor (\$225.00)	5,400.00	

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Deputies, Clerks, Interpreters, Commissions and Expenses	19,600.00		
Bureau of Conveyances:			
Registrar (\$250.00)	6,000.00		
Deputy Registrar (\$165.00)	3,960.00		
Expert Indexer (\$125.00) ..	3,000.00		
Clerks and Stenographers ..	31,000.00		
Expenses	4,000.00	47,960.00	\$929,760.00

COLLEGE OF HAWAII.

Salaries, Pay Roll and Expenses	28,000.00		
Buildings, grading and improvements		18,000.00	\$ 46,000.00

PUBLIC WORKS.

Specific Salaries:

Superintendent of Public Works (\$400.00)	9,600.00		
Superintendent, Capitol and Judiciary Buildings and grounds (\$80.00)	1,920.00		
Guards (3 at \$60.00) Capitol and Judiciary Buildings.	4,320.00		
Janitors (6 at \$45.00) Capitol and Judiciary Buildings	6,480.00		
Laborers (6 at \$40.00) Capitol and Judiciary Buildings and grounds	5,760.00		
Keeper, Mausoleum (\$60.00)	1,440.00		
Keeper, Powder Magazine, Honolulu (\$75.00)	1,800.00		

Act 175. Biennial Appropriations.

Assistant Keeper, Kerosene Warehouse and Powder Magazine, Hilo (\$40.00).	960.00		
Elevator Operator (\$50.00)	1,200.00	33,480.00	
General:			
Officers, employees and ex- penses	27,500.00		
Water and Sewer rates, Terri- torial Departments	7,000.00		
Flags, court and school houses.	500.00		
Telephone exchange, Capitol and Judiciary Buildings ...	4,000.00		
Furnishing Judiciary Building	7,500.00		
Reconstruction, Capitol Build- ing and improvement of Capitol grounds	40,000.00		
Maintenance, Additions, Gov- ernment Property, Oahu ..	15,000.00		
Maintenance, Additions, Gov- ernment Property, Hawaii..	5,000.00		
Maintenance, Additions, Gov- ernment Property, Maui ...	2,000.00		
Maintenance, Additions, Gov- ernment Property, Kauai..	500.00		
Sidewalks, Territorial lots ...	2,000.00		
Inspections and expenses, all franchises under jurisdiction of superintendent of public works	2,000.00		
Expenses, Heiaus	1,000.00		
Archives Building furniture..	2,500.00	116,500.00	\$149,980.00

Act 175. Biennial Appropriations.

HARBOR COMMISSION.

Officers, Employees and Expenses:		
Officers, Employees and Expenses	8,600.00	
Foreman, Landings and Wharves (\$175.00)	4,200.00	
Sweeping, landings and wharves	4,800.00	
Harbor Master, Honolulu, (\$212.50)	5,100.00	
Assistant Harbor Master, Honolulu (\$150.00)	3,600.00	
Expenses, Harbor Master	500.00	
Pilots, Honolulu (3 at \$212.50)	15,300.00	
Pilot, Hilo (\$212.50)	5,100.00	
Watchman, Pilots, Honolulu (\$80.00)	1,920.00	
Watchman, Pilots, Diamond Head	1,800.00	
Employees and expenses, Pilots, Honolulu	9,000.00	
Pilot boy, Hilo (\$40.00)	960.00	
Expenses, Pilot, Hilo	1,400.00	
Pilot, Powder and Kerosene Keeper, Kahului (\$212.50)	5,100.00	
Expenses, Pilot, Kahului, including purchase of power boat	5,500.00	72,880.00
Office boy, Harbor Master's office (\$40.00)	960.00	
Policemen, waterfront (2 at \$75.00)	3,600.00	

Act 175. Biennial Appropriations.

Day Watchman, Pilot's tower, Honolulu (\$50.00)	1,200.00		
Material, equipment and office expenses	5,000.00		
Furniture and fixtures for meeting room, B. H. C. ...	600.00		
Night Watchman, Kuhio wharf, Hilo (\$40.00)	960.00		
Sweeper, Kuhio wharf, Hilo (\$45.00)	1,080.00		
New power boat for Pilot, Hilo Maintenance, Additions and Leases:	4,500.00	17,900.00	
Maintenance, Additions, Land- ings, Wharves and Pipe Lines, Oahu	75,000.00		
Maintenance, Additions, Ha- waii	14,900.00		
Honuapo wharf	10,000.00		
Provided, however, that no part of this item shall be ex- pended until the title thereto shall be quieted to the Terri- tory.			
Maintenance, Maui, Mclokai and Lanai	10,000.00		
Maintenance, Kauai	8,000.00		
Marine Railway lease	1,000.00	118,900.00	\$209,680.00

PUBLIC LANDS.

Commissioner of Public Lands (\$300.00)	7,200.00
Officers, employees, expenses..	28,000.00

Act 175. Biennial Appropriations.

Translation, land commission awards	3,000.00	38,200.00	
Land Board:			
Secretary	1,200.00		
General expenses, including traveling expenses of the board	3,000.00	4,200.00	\$ 42,400.00

SURVEY DEPARTMENT.

Surveyor (\$275.00)	6,600.00		
Officers, employees, expenses..	30,000.00		\$ 36,600.00

BOARD OF AGRICULTURE AND FORESTRY.

Board of Administration:			
Salaries and Wages	12,500.00		
Expenses	8,500.00	21,000.00	
Division of Forestry:			
Salaries and Wages	48,000.00		
Expenses	22,000.00	70,000.00	
Division of Hydrography:			
Salaries and Wages	18,920.00		
Expenses	12,740.00		
New construction	3,800.00	35,460.00	
Division of Entomology:			
Salaries and Wages	34,000.00		
Expenses	22,000.00	56,000.00	
Division of Animal Industry:			
Salaries and Wages	22,680.00		
Expenses	8,680.00	31,360.00	
Division of Marketing:			
Salaries, Wages and Expenses, to be expended on vouchers			

Act 175. Biennial Appropriations.

approved by the Agronomist in charge of the United States Agricultural Experiment Station in Hawaii...		24,000.00	
Glenwood Experiment Station:			
Wages, Expenses, equipment, repairs and supplies	4,800.00		
Traveling expenses of Glen- wood Superintendent while on demonstrating trips on Hawaii	1,200.00	6,000.00	\$243,820.00

BOARD OF IMMIGRATION, LABOR AND STATISTICS.

Salaries	10,200.00		
Expenses	2,400.00		
Hospital expenses and aid to the indigent and unemployed	10,000.00		
Detention and repatriation of immigrants	50,000.00		\$ 72,600.00

BOARD OF HEALTH.

General:			
President (\$325.00)	7,800.00		
Secretary, Clerks, Stenograph- ers, Janitors, Messengers, Expenses	26,000.00	33,800.00	
Sanitation:			
Sanitary Engineer (\$250.00).	6,000.00		
Chief Sanitary Inspector, Oahu (\$225.00)	5,400.00		
Chief Sanitary Inspector, Ha- waii (\$225.00)	5,400.00		

Act 175. Biennial Appropriations.

Chief Sanitary Inspector, Maui (\$150.00)	3,600.00	
Chief Sanitary Inspector, Kau- ai (\$150.00)	3,600.00	
District Sanitary Inspector, Oahu (\$100.00)	2,400.00	
District Sanitary Inspectors, Hawaii	4,800.00	
District Sanitary Inspector, Maui (\$90.00)	2,160.00	
District Sanitary Inspector, Kauai (\$90.00)	2,160.00	
Sanitary Inspectors, Honolulu	25,080.00	
Sanitary Inspectors, Hilo	5,760.00	
Clerk, Hawaii (\$100.00)	2,400.00	68,760.00
Expenses, Territory		12,500.00
Pure Food:		
Food Commissioner and As- sistants	12,600.00	
Expenses	3,000.00	15,600.00
Bacteriological Bureau:		
Bacteriologist and Pathologist, Oahu (\$200.00)	4,800.00	
Bacteriologist and Specialist, Hawaii (\$200.00)	4,800.00	
Laboratory Assistants	4,000.00	
Laboratory equipment and ex- penses	2,400.00	16,000.00
Pay of Government Physicians:		

Provided, however, that no salary shall be allowed or paid unless the physicians employed or appointed in the several districts to which they are ap-

Act 175. Biennial Appropriations.

pointed shall treat the indigent sick free of charge, in such district or districts as the case may be to which they are appointed.

Hawaii	18,480.00	
Maui and Molokai	9,960.00	
Kauai	6,480.00	
Oahu	6,600.00	41,520.00
Medical supervision and treatment of school children ...		5,000.00
Quarantine and Medical Service and Expenses		45,000.00
Rat campaign		20,000.00
Mosquito campaign		25,000.00
Prevention and cure of tuberculosis		120,000.00
Repairs, Maintenance and Equipment, Quarantine Stations:		
Honolulu	1,000.00	
Hilo	1,500.00	2,500.00
Erection, Equipment, Maintenance, Morgue, Hilo, to be built under direction of the Board of Health		3,500.00
Care of Lepers and their Children:		
Medical supplies and equipment	45,000.00	
General Pay Roll	65,000.00	
Segregation, Hospitals and Maintenance	200,000.00	
Amusements	1,440.00	
Sheriff and police	2,880.00	
New buildings, Kalaupapa ..	12,000.00	326,320.00

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Homes for Non-Leprous Children:			
Kapiolani Girls' Home	22,500.00		
Pay Roll	6,000.00		
Maintenance	14,000.00		
Nurses' Cottage and furnishing.	2,500.00		
Kalihi Boys' Home	19,000.00		
Pay Roll	7,000.00		
Maintenance	12,000.00	41,500.00	
Insane Asylum:			
Superintendent (\$225.00)	5,400.00		
Pay Rolls	50,500.00		
Maintenance	54,000.00	109,900.00	
Sanitorium:			
Pay Roll and Maintenance		12,000.00	\$898,900.00

JUDICIARY.

Supreme Court:			
Clerk (\$175.00)	4,200.00		
Assistant Clerk (\$125.00)	3,000.00		
Stenographer and Clerk, (\$150.00)	3,600.00		
Bailiff and Librarian (\$100.00)	2,400.00		
Law Books	2,000.00		
Compiling, publishing, binding reports	2,000.00		
Expenses	1,000.00	18,300.00	
Copying records (Act 64, S. L., 1911)		8,000.00	
Land Registration Court:			
Expenses		6,000.00	

Act 175. Biennial Appropriations.

Act 176. Homestead Roads, Waiakea, Hilo.

District Court, Kalawao:			
Magistrate (\$25.00)	600.00		
Expenses	25.00	625.00	32,925.00
			<hr/>
Grand total			\$3,058,875.00

SECTION 2. This Act shall take effect on the first day of July, 1915.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,

Governor of the Territory of Hawaii.

ACT 176 X

AN ACT

MAKING AN APPROPRIATION BY WAY OF ADVANCEMENT OUT OF THE GENERAL REVENUES OF THE TERRITORY OF HAWAII FOR THE CONSTRUCTION OF HOMESTEAD ROADS IN THE DISTRICT OF WAIAKEA, HILO, COUNTY OF HAWAII, TO BE REIMBURSED OUT OF THE PROCEEDS OF THE SALES OF HOMESTEADS IN SAID DISTRICT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of fifteen thousand dollars (\$15,000.00), or so much thereof as may be necessary, is hereby appropriated out of the general revenues of the Territory for the purpose of locating, surveying and constructing all of the necessary roads in that certain tract of three hundred (300) acres of land at Waiakea, and Hilo, County of Hawaii, connecting with the end of the Kuhio Road and running through the said lots to the Volcano Road, the same to be under the provisions of Section 375 of the Revised Laws of Hawaii, 1915, for the construction of roads to and through residence, etc., lands.

Act 176. Homestead Roads, Waiakea, Hilo.

Act 177. Paroles.

SECTION 2. The amount expended hereunder is to be deemed as an advancement out of the general revenues to the fund provided for in said Act and to be reimbursed to the general revenues out of the proceeds of such homesteads when hereafter received.

SECTION 3. The said sum of fifteen thousand dollars (\$15,000.00) shall be disbursed on warrants drawn by the auditor, based upon vouchers approved by the superintendent of public works, who shall have charged of the construction of said roads. Provided, that the superintendent of public works shall contract for the construction of such roads.

SECTION 4. The amount hereby appropriated under this Act shall become immediately available and the construction of said road or roads shall be commenced as soon as the contract herein provided therefor shall be made not later than July 30, 1915.

SECTION 5. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 177

AN ACT

TO AMEND SECTION 3845 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO THE PAROLE OF PRISONERS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3845 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the words "with the

Act 177. Paroles.

Act 178. Sanitary Code Commission.

approval of the attorney general" in lines 4 and 5 thereof, and substituting in lieu thereof the words "warden and the approval by the board of prison inspectors as by law provided," so that said section, when so amended, shall read as follows:

"Section 3845. Parole, when. Any prisoner who shall have served a term not less than the minimum as provided by law, or pronounced by the court, may be paroled by the governor upon the recommendation of the warden and the approval by the board of prison inspectors as by law provided."

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 178

AN ACT

TO AUTHORIZE THE APPOINTMENT OF A COMMISSION TO COMPILE THE SANITARY CODE OF THE TERRITORY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A commission of five persons, who shall serve without pay, to be designated as the Sanitary Code Commission, and who shall be appointed by the governor in the manner prescribed in Section 80 of the Organic Act, is hereby constituted and authorized to compile the sanitary code of the Territory of Hawaii for the promotion and protection of the public health, preservation of life and suppression and prevention of contagious and infectious diseases, embracing therein all matters and subjects to which, and so far as the powers and author-

Act 178. Sanitary Code Commission.

Act 179. Homestead Roads, Makawao, Maui.

ity of the territorial board of health and of health departments of any municipal or county government of the Territory now extends, or to which such powers and authority may hereafter be extended.

SECTION 2. Said sanitary code shall be submitted to the governor not later than January 1, 1917, and presented by him to the Legislature of 1917.

SECTION 3. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 179 +

AN ACT

MAKING AN APPROPRIATION BY WAY OF ADVANCEMENT OUT OF THE GENERAL REVENUES OF THE TERRITORY OF HAWAII FOR THE CONSTRUCTION OF HOMESTEAD ROADS IN THE DISTRICT OF MAKAWAO, COUNTY OF MAUI, TO BE REIMBURSED OUT OF THE PROCEEDS OF THE SALES OF HOMESTEADS IN SAID DISTRICT.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of fifteen thousand dollars (\$15,000.00), or so much thereof as may be necessary, is hereby appropriated out of the general revenues of the Territory of Hawaii for the purpose of constructing all of the necessary roads in that tract of land at Piihola, Makawao, County of Maui, the same to be under the provisions of Section 375 of the Re-

Act 179. Homestead Roads, Makawao, Maui.

vised Laws of Hawaii, 1915, for the construction of roads to and through residence, etc., lands.

SECTION 2. The amount expended hereunder is to be deemed as an advancement out of the general revenues to the fund provided for in said Act, and to be reimbursed to the general revenues out of the proceeds of the sales of such homesteads when hereafter received.

SECTION 3. The said sum of fifteen thousand dollars (\$15,000.00) shall be disbursed on warrants drawn by the auditor, based upon vouchers approved by the superintendent of public works, who shall have charge of the construction of said roads; provided, that the superintendent of public works shall contract for the construction of such roads.

SECTION 4. The cost of the construction of the roads in this Act provided for shall be by the superintendent of public works prorated against the lots at the rate of so much per square foot of area, such proportion to be based so far as possible according to the measure of the relative benefit accruing to each lot by virtue of the construction of such roads. Such cost for each lot shall be reported by the superintendent of public works to the commissioner of public lands who shall thereupon add the same to the appraised value of each lot.

SECTION 5. The amount hereby appropriated under this Act shall become immediately available, and the construction of said roads shall be commenced, as soon as the contract herein provided therefor shall be made, not later than September 1, 1915.

SECTION 6. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 180. Water and Sewer Mains in Honolulu.

Act 181. Collection of Taxes.

ACT 180

AN ACT ✓ ✓

TO AMEND SECTION 1654 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE POWERS OF SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU, BY ADDING A NEW PARAGRAPH THERETO TO BE KNOWN AS PARAGRAPH 11A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1654 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto a new paragraph to be known as paragraph 11A, and reading as follows:

“11A. To regulate and require by ordinance the laying of water and sewer mains in new subdivisions of land before the same are offered for sale, and to prescribe the conditions under which such mains shall be laid.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Amd. Act. 115 S. L. 1921

ACT 181

AN ACT ✓ ✓

TO AMEND SECTION 1295 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE ENFORCEMENT OF PAYMENT OF TAXES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1295 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

Act 181. Collection of Taxes.

“Section 1295. Payment enforced, how. If any tax be unpaid when due, the assessor may proceed to enforce the payment of the same, with all penalties, as follows:

1. By distress upon so much of the goods and chattels of the taxpayer as he may deem sufficient to satisfy the payment of taxes due, costs and expenses of such distress, or if the taxpayer is delinquent, sufficient to satisfy the payment of taxes due, costs, expenses of such distress, penalty and interest;

2. By suit or action in assumpsit, in his own name, on behalf of the Territory of Hawaii, for the amount of taxes and costs, or if such tax is delinquent for the amount of taxes, costs, penalties and interest, in any district court, irrespective of the amount claimed. Execution may issue upon any judgment rendered in any such suit which may be satisfied out of any real or personal property of the defendant in such suit, without other or further authority;

3. In case the taxpayer is a non-resident or cannot be found within the Territory, the assessor or attorney general may bring suit to collect any tax due or to become due, with interest, penalties and costs, in any jurisdiction where service can be had upon such taxpayer.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 26th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 182. Revenues, Honolulu Water and Sewer Works.

See 28 Ha. 1340

ACT 182

AN ACT ✓✓

AND ACT 69 S. L. 1923

AMENDING SECTION 1861 OF THE REVISED LAWS OF HAWAII
OF 1915, RELATING TO THE HONOLULU WATER AND SEWER
WORKS.

AND ACT 231 S. L. 1923

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. That Section 1861 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

“Section 1861. Disposition of revenues. All revenues derived from time to time from said works shall be paid into the treasury of said city and county, and there held as a special fund for the following purposes for which alone it shall be expended: (1) the operation and maintenance of said works; (2) interest at the rate of four per cent (4%) per annum, payable semi-annually, on the sum of one million four hundred ninety-four thousand six hundred eleven and 33/100 dollars (\$1,494,611.33) which is the present outstanding bonded indebtedness incurred by the Territory for extensions and improvements on said works; (3) the payment of the principal of said amount of one million four hundred ninety-four thousand six hundred eleven and 33/100 dollars (\$1,494,611.33), for which purpose there shall be set aside each year, for the term of thirty (30) years after July 1, 1916, not less than such a sum that the aggregate of the sums so set aside, with interest thereon at the rate of four per cent (4%) per annum, compounded annually, would amount to the sum of one million four hundred ninety-four thousand six hundred eleven and 33/100 dollars (\$1,494,611.33); and (4) the extension and of said works.

In whole or partial fulfillment of its obligations under subdivisions (2) and (3) of this section, said city and county shall pay to the Territory on July 1st and January 1st of each year,

Act 182. Revenues, Honolulu Water and Sewer Works.

interest upon said sum of one million four hundred ninety-four thousand six hundred eleven and $\frac{33}{100}$ dollars (\$1,494,611.33), at the rate of four per cent (4%) per annum, and also such sum or sums each year, after July 1, 1916, for the term of thirty (30) years, that the aggregate of the sums so paid will, compounded annually at the rate of four per cent (4%) per annum, equal at the expiration of such term of thirty (30) years, the sum of one million four hundred ninety-four thousand six hundred eleven and $\frac{33}{100}$ dollars (\$1,494,611.33), and may so pay to the Territory in any year any additional sum on account of said principal sum of one million four hundred ninety-four thousand six hundred eleven and $\frac{33}{100}$ dollars (\$1,494,611.33); and when any such payment shall be made on account of the principal, the interest payable thereafter shall be reduced correspondingly, and when the aggregate sums so paid on account of the principal shall equal the sum of one million four hundred ninety-four thousand six hundred eleven and $\frac{33}{100}$ dollars (\$1,494,611.33), all obligations of said city and county in respect of said water and sewer works shall be deemed to have been discharged.

All amounts so paid to the Territory on account of principal, shall be credited to the territorial sinking fund and such credit when made shall be deemed to have been made under the provisions of the first paragraph of Section 1182.

SECTION 2. All laws or parts of laws in conflict with the purpose of this Act are hereby repealed.

SECTION 3. This Act shall take effect from the date of its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 183. Appropriations, Unpaid Bills.

ACT 183

AN ACT

MAKING SPECIAL APPROPRIATIONS FOR THE PAYMENT OF CERTAIN CLAIMS AGAINST THE TERRITORY OF HAWAII INCURRED PREVIOUS TO JANUARY 1, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The following sums, amounting to five thousand and fifty-nine dollars and sixty-three cents (\$5,059.63), are hereby appropriated to be paid out of any moneys in the treasury received from the general revenues of the Territory for the settlement of the following claims against the Territory:

SECRETARY OF THE TERRITORY.

Claim of Paradise of the Pacific, Aug. 21, 1913, for printing the Senate Journal, Session of 1913	\$	487.84	
Claim of Honolulu Star-Bulletin, Ltd., June 23, 1913, for printing Hawaiian Edition, Session Laws of 1913.....		536.04	
Claim of Henry T. Hughes, April 20, 1913, for a trip, Honolulu to Boys' Industrial School, Waialeale, Oahu, and return		40.00	\$1,063.88

ATTORNEY GENERAL'S DEPARTMENT.

Claim of H. Hackfeld & Co., June 30, 1913, for supplies for Maintenance of Prisoners	\$	83.39	
Claim of J. Hopp & Co., Ltd., October 10, 1913, for supplies for Maintenance of Prisoners		39.25	

Act 183. Appropriations, Unpaid Bills.

Expenses of extradition of William F. Armstrong, a fugitive from justice, advanced by the Modern Order of Phoenix, to be paid upon the filing of receipts in full, approved by the Attorney General	533.40	
Expenses of extradition of Walter Revell, a fugitive from justice, advanced by the Trent Trust Company, Ltd., to be paid upon the filing of receipts in full, approved by the Attorney General	160.60	
Expenses of extradition of Marion Bernard, a fugitive from justice, advanced by the Union Grill, John Deter, Manager, to be paid upon the filing of receipts in full, approved by the Attorney General	400.00	1,216.64
		<hr/>

BOARD OF HEALTH.

Claim of California Feed Co., May 31, 1911, for supplies for Care of Lepers, Segregation, and Hospital Expenses..	18.74
Claim of Hawaiian Electric Co., Ltd., January 31, 1913, for Electric Current for Maintenance, Kapiolani Girls' Home	37.08
Claim of T. Ikeda, February 29, 1913, for supplies for Quarantine, Fumigation, Disinfection, Medical Service, Medical Supplies, and Suppression of Contagious Diseases	3.25
Claim of T. Ikeda, March 31, 1913, for supplies for Quarantine, Fumigation,	

Act 183. Appropriations, Unpaid Bills.

Disinfection, Medical Service, Medical Supplies, and Suppression of Contagious Diseases	4.50	
Claim of Honolulu Star-Bulletin, Ltd., for subscription, July 1, 1911, to June 30, 1913, for account Segregation, Hospitals, Maintenance and Improvements	16.00	
Claim of Inter-Island Steam Navigation Co., Limited, for special trip, Honolulu to Kalaupapa, for account Segregation, Hospitals, Maintenance and Improvements	385.00	
Claim of Electric Shop, June 30, 1913, for supplies for account of Quarantine, Fumigation, Disinfection, Medical Service, Medical Supplies, and Suppression of Contagious Diseases	1.49	466.06

HARBOR COMMISSION.

Claim of Theo. H. Davies & Co., Ltd., Hilo, May 31, 1913, for supplies for Expenses of Pilot, Hilo	28.35	
Claim of Hawaiian Electric Co., Ltd., June 30, 1913, for current supplied Look-Out Station	2.00	
Claim of J. H. K. Leslie, June 30, 1912.	100.00	
Claim of J. H. K. Leslie, July 31, 1912.	104.00	
Claim of J. H. K. Leslie, Aug. 31, 1912.	108.00	
Claim of J. H. K. Leslie, September 30, 1912, for services as Inspector on the contract for Napoopoo Wharf	76.00	
Claim of E. R. Stackable, re wharfage collected during the period between Nov. 16, 1911, and Sept. 1, 1912 ...	91.78	510.13

Act 183. Appropriations, Unpaid Bills.

LAND COURT.

Claim of George F. Wright, June 30, 1913	70.00	
Claim of George F. Wright, June 30, 1913	27.00	
Claim of George F. Wright, June 30, 1913, for work done for the Court of Land Registration on Petitions 277 and 278	7.00	104.00
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BUREAU OF TAXES.

Claim of W. P. McDougall, June 30, 1911	223.10	
Claim of H. J. Lyman, June 30, 1911...	32.84	
Claim of E. Kaeha Kaiwa, June 30, 1911	87.37	
Claim of W. A. Schwallie, June 30, 1911	182.54	
Claim of William Horner, June 30, 1911	103.12	628.97
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PUBLIC WORKS DEPARTMENT.

Claim of Apaki Manuwai, August 31, 1913	10.00	
Claim of Theodore Bauman, re Pupukea- Paumalu homestead road through Lot No. 14	1,000.00	1,010.00
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BANANA CLAIMS.

Claim of Mrs. Louis Caesar	47.20	
Claim of Mrs. William Purdy	12.75	59.95
	<hr/>	<hr/>
		\$5,059.63

Act 183. Appropriations, Unpaid Bills.

Act 184. School Improvements, Kauai.

SECTION 2. The auditor shall not issue warrants in payment of any of the above amounts unless receipts in full are filed therefor, signed by the claimants or the legal representatives of their estates or assigns, and the same are approved by the head of the department under which the items are inserted.

SECTION 3. The appropriations under this Act shall lapse upon the 30th day of June, A. D. 1915.

SECTION 4. This Act shall take effect from and after the date of its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 184 ✱

AN ACT

AUTHORIZING THE BOARD OF SUPERVISORS OF THE COUNTY OF
KAUAI TO MAKE CERTAIN ADVANCES FROM THE CURRENT
FUNDS OF THE COUNTY FOR SCHOOL IMPROVEMENTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Whenever appropriations have been made by the Legislature for new buildings, repairs and maintenance of buildings and grounds and new grounds, furniture and fixtures, for the County of Kauai, pursuant to the heading known as "Special Fund" of the School Budget as provided by Chapter 25 of the Revised Laws of Hawaii, 1915, and no moneys for such purposes are immediately available in said county, the supervisors of said county may advance the funds required for such purposes from the current funds in the treasury of

Act 184. School improvements, Kauai.

Act 185. Moving Pictures on Sundays.

said county, either on special or general deposit, in which case such general or special accounts from which said funds have been so advanced, shall, on the receipt of taxes be reimbursed.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 185

AN ACT

AUTHORIZING AND EMPOWERING THE BOARDS OF SUPERVISORS
OF THE SEVERAL COUNTIES AND THE CITY AND COUNTY OF
HONOLULU TO PROVIDE BY ORDINANCE FOR THE EXHIBIT-
ING OF MOVING PICTURES ON SUNDAYS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The boards of supervisors of the several counties and the City and County of Honolulu are hereby authorized and empowered to provide by ordinance for the exhibiting of moving pictures of an educational or biblical character on Sundays after the hour of 6:30 P. M. under such restrictions as they may prescribe.

SECTION 2. This Act shall take effect upon its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 186. Cooperative Associations.

ACT 186

AN ACT

RELATIVE TO THE INCORPORATION OF COOPERATIVE ASSOCIATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Any number of persons, not less than five, who are residents in the Territory, may associate themselves as a corporation, association, society, company or exchange, for the purpose of carrying on any business or undertaking, either mercantile or agricultural, on the cooperative plan. For the purposes of this Act, the words "association," "company," "exchange," "society," and "union," shall have the same significance and shall import a corporation.

SECTION 2. The corporation shall be formed in the manner prescribed in, and be subject to, the provisions of Chapter 181 of the Revised Laws of Hawaii, 1915, and all Acts in amendment thereof and in addition thereto, so far as they are not inconsistent with the provisions of this Act; provided, that the word "cooperative" shall form a part of the name of corporations formed under this Act, and no corporation not organized under this Act shall use the word "cooperative" as part of its name.

SECTION 3. No person shall own more than ten per cent. of the shares of the capital stock of corporations formed under this Act, and no shareholder shall be entitled to more than one vote, irrespective of the number of shares held by him, on any subject pertaining to the corporation or its management.

SECTION 4. Any corporation formed under this Act may authorize the investment of its reserve fund, or any part thereof, first, in the building in which it is doing business, or, second,

Act 186. Cooperative Associations.

in first mortgages of real estate owned and occupied as a dwelling by any of its stockholders.

SECTION 5. The earnings of every such corporation shall be apportioned in the following manner:

1. Not less than ten per cent. of the annual net profits shall be set aside for a reserve fund until there is accumulated in said reserve fund an amount of not less than thirty per cent. of the paid-up capital stock.

2. Dividends on the paid-up capital stock, not exceeding eight per cent. per annum, may be declared and paid.

3. The remainder of such earnings, if any, shall be distributed by a dividend upon the amount of business done with the association by shareholders and upon the amount of wages earned and paid to employees of the corporation, in proportion to such business and wages, such distribution to be made to the persons entitled thereto at such times as the by-laws of the corporation shall prescribe, which shall be at least once each year.

SECTION 6. The amount of debts which any corporation formed under this Act shall owe, shall at no time exceed the amount of its paid up capital stock plus the amount of its other assets.

SECTION 7. All books of corporations formed under this Act shall be kept in such manner as is approved by the bank examiner of the Territory, and such corporation shall, at least once each year, present for examination by such bank examiner such books as said bank examiner may require. Provided, however, that such bank examiner shall not be required to audit such books unless such corporation is doing a credit union or other fiduciary business.

SECTION 8. A corporation organized under the provisions of this Act shall be subject to the provisions of Section 3305, Revised Laws of Hawaii, 1915, relating to the payment of fees by corporations to the treasurer of the Territory.

Act 186. Cooperative Associations.

Act 187. Insane Persons and Drug Victims.

SECTION 9. This Act shall take effect upon the date of its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 187

AN ACT

PROVIDING FOR THE CARE, CONTROL AND TREATMENT OF PERSONS ADDICTED TO THE EXCESSIVE USE OF DRUGS OR LIQUOR AND OF INSANE PERSONS OF THE ACUTE AND CURABLE CLASS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. There shall be established and used in connection with the insane asylum of the Territory of Hawaii, a separate department or branch thereof, to be known as the "detention house," which shall be specially designed and equipped for the active and special medical care and treatment of insane persons of the acute and curable class, or whose recovery or improvement would in the judgment of the commissioners of insanity be facilitated by their detention separate and apart from other inmates of the asylum whose character of affliction, conduct or presence would tend to retard recovery in such apparently curable cases and where separate provision and accommodation may be made for patients more suitably with reference to their customary station in life and where patients may be separately maintained and treated wholly or in part at the expense of their own estate or relatives or other persons who may make provision therefor.

Act 187. Insane Persons and Drug Victims.

SECTION 2. Special ward. There shall be a special ward in said detention house for the reception and special care, control and treatment of persons not necessarily insane but committed thereto as patients addicted to the excessive use of drugs or liquor.

SECTION 3. For said purposes the board of health is hereby directed to select and set apart or acquire by purchase or otherwise suitable land upon which to erect a suitable building or buildings, and properly equip the same.

SECTION 4. Management of detention house. Said detention house, including the special ward, shall be under the immediate management of the superintendent of the insane asylum subject to the general direction and control of the board of health in the same manner as provided by law for the insane asylum.

SECTION 5. Use of detention house. Any person who has been committed to the insane asylum shall be subject to transfer from the main institution to said detention house, or from said detention house back to the main institution, from time to time, as the commissioners of insanity shall in their judgment order or approve. Any such person may also be transferred by the commissioners to said special ward; but no person committed as a patient addicted to the excessive use of drugs or liquor shall be subject to transfer from the special ward to the insane asylum except upon a legal adjudication of his insanity.

SECTION 6. Trust funds for maintenance of patient. The board of health is hereby authorized to accept and hold in behalf of the Territory any grant, gift, or devise of money or property in trust for the use and benefit either for the insane asylum as a whole, or any department thereof, or for male or female patients, or for the special ward, or for the use and benefit of

Act 187. Insane Persons and Drug Victims.

any individual inmate or inmates or class of inmates of the asylum or special ward, or for any other incidental purpose; and shall cause each such gift, grant or devise to be kept as a distinct fund to be used, invested, applied and otherwise disposed of according to the terms incident thereto; and they shall include in each report to the governor a statement showing all the funds and property so received or held and the condition and application thereof.

SECTION 7. Proclamation. Special ward. Upon the completion and equipment of said detention house and special ward, the board of health shall report such facts to the governor, who shall thereupon issue a proclamation giving public notice that the said special ward is prepared to receive patients, a copy of which proclamation shall also be forwarded by mail to each circuit judge and district magistrate in the Territory.

SECTION 8. Examination as to persons addicted to the excessive use of drugs or liquor; petition; warrant. Upon the filing in any circuit or district court by any relative, next friend, or any county or city and county sheriff or deputy, of a verified petition setting forth that any person within the jurisdiction of such court is a patient addicted to the excessive use of drugs or liquor and in need of care and treatment, or that it is dangerous for said person to be at large, and also stating therein the petitioner's relationship, if any, and the indication of lack of self-control of such alleged patient in the use of any such drugs or liquor, and praying the court to enquire into the matter and commit such person as a patient addicted to the excessive use of drugs or liquor, the judge of such court shall require that such alleged patient be brought before him, and when from such petition or otherwise it appears necessary, may issue a warrant directed to the sheriff or deputy sheriff of the county or city and county or to the high sheriff or his deputy, requiring him forthwith to arrest and bring such person before the court for examination.

Act 187. Insane Persons and Drug Victims.

It shall thereupon be the duty of the judge of such court to examine the alleged patient brought before him and at such hearing the alleged patient shall have the right to be heard personally or by counsel, and to produce and have subpoenaed witnesses on his behalf. Before any such examination shall be made, and if such patient shall have no other counsel, the judge shall give reasonable notice to the county attorney, who shall appear and take such action as may be necessary to protect the rights of the alleged patient and the interests of the Territory. The judge shall in any case render and file his decision thereon in writing, including a statement of the facts as found by him, and the reasons therefor and enter judgment accordingly, and if the judgment is for commitment shall forward a copy thereof to the superintendent of the insane asylum.

SECTION 9. Commitment of patients addicted to the excessive use of drugs or liquor; term. If it shall be determined by the said judge that the person so brought before him for examination is a patient addicted to the excessive use of drugs or liquor, or lacks self-control in the use of any such drugs or liquor, and is in need of detention and special treatment therefor, such person shall be committed by said court to the special ward of said detention house as a patient. The term of detention shall be for an indeterminate period, and until such person shall be discharged therefrom according to law, provided that no person shall be confined in said special ward without being released on parole at least once a year.

SECTION 10. Appeal. Said alleged patient addicted to the excessive use of drugs or liquor or any relative or next friend on his behalf may appeal to the commissioners of insanity from any judgment of commitment as aforesaid, by filing notice of such appeal in the court of commitment within five days, and a copy thereof with the chairman of the commissioners of insanity within ten days after entry of such judgment of commitment,

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which appeal may be taken without payment of any costs in the court of commitment. Upon such appeal, the commissioners of insanity shall hear and determine the same in the same manner as by law provided in the case of an appeal from the commitment of an alleged insane person and their decision thereon shall be final.

SECTION 11. Voluntary commitment of patients addicted to the excessive use of drugs or liquor. Any person may be committed to the special ward upon his own application to the judge of any circuit or district court, provided that he shall sign a voluntary application for such commitment, and from time to time pay the maintenance charges required by the board of health as the same shall accrue.

SECTION 12. Maintenance fund for special ward. The board of health shall from time to time either by general resolution or specifically in any particular case or class of cases fix a sum not to exceed twenty-five dollars (\$25.00) per week as a maintenance fee or charge to be paid by the patient, and the superintendent of the asylum shall collect the same from such patients or out of their property or from any person or persons legally bound for their support. All sums so collected shall be deposited as a special fund in the treasury and shall be available only for the maintenance of said special ward, as the board of health shall determine. If the board shall deem it a hardship to compel any patient or those legally liable for the support of such patient to pay said maintenance fees, it may relieve such patient or persons from any part or all of such burden, as may seem reasonable and just.

SECTION 13. Treatment of patients addicted to the excessive use of drugs or liquor. Persons committed as patients addicted to the excessive use of drugs or liquor shall be given such method of treatment as in the judgment of the superintendent and the commissioners of insanity will best tend to eliminate

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the effects of drugs or liquor, to build up their systems physically and mentally, and to strengthen their moral character and ability to resist the temptation of drugs and liquor.

SECTION 14. Parole of patients addicted to the excessive use of drugs or liquor; recommitment. Whenever any patient shall appear to be a suitable case for parole, the superintendent may recommend such parole to the commissioners of insanity, and the commissioners may parole such patient, either for a specific or indeterminate period, under such restrictions as they may deem proper, and provided such patient shall pledge himself to abide by the terms of such parole and the order of the commissioners respecting the use of drugs or liquor, and shall report in person or in writing as the commissioners shall require, and submit to all examinations from time to time as the commissioners may require during the parole. If at any time any patient on parole shall fail to comply with any of the conditions of his parole, or refuses to submit to any order of the commissioners respecting the same as aforesaid, or the commissioners are otherwise satisfied that such patient requires further detention and treatment in the special ward, the commissioners may cancel his parole and summarily remand him to the special ward, and for such purpose may issue a writ of remand of such person directed to the sheriff or deputy sheriff of the county or city and county or to the high sheriff or his deputy, commanding such officer to take said patient into custody and deliver him to the superintendent of said special ward.

SECTION 15. Discharge of patients addicted to the excessive use of drugs or liquor. Any person committed as a patient, or any person in his behalf, may apply to the commissioners of insanity for discharge from the special ward, and the commissioners shall thereupon make an examination of such patient and if the commissioners are satisfied that such patient is

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cured, or fit to be allowed at large without danger to himself or any other person or that such person has regained his self-control respecting the use of drugs or liquor, they may discharge such patient. The commissioners may in their discretion if discharge be denied, nevertheless release such patient on parole. Whenever any patient is discharged from the special ward, the commissioners shall sign and deliver a certificate of discharge to such patient, and also forward a certified copy of such discharge to the circuit or district court of the circuit or district from whence such patient was committed, and the judge shall file the same with the record of commitment.

SECTION 16. Duties and powers of commissioners of insanity. In all matters affecting said detention house and special ward, and in all proceedings by and before the commissioners of insanity under the provisions of this Act, the commissioners shall perform the duties and functions required of them and have and exercise any and all of the powers and authority in them vested, as though under Sections 1076 to 1091, inclusive, of the Revised Laws of Hawaii, 1915, relating to insane persons, not inconsistent herewith.

SECTION 17. Compensation of commissioners. For each examination made by the commissioners of insanity of any insane or alleged insane patient for the purpose of determining the advisability or necessity of transferring such patient to or from the detention house or special ward, the commissioners shall each be entitled to receive a fee of two and one-half dollars (\$2.50), to be paid by or out of the estate of such patient. For each examination of any patient committed to the detention house or special ward, whether upon an appeal or an application for parole or discharge, the commissioners shall each be entitled to receive a fee of five dollars, to be paid by or out of the estate of such patient. If in any case any alleged insane person examined for transfer to or from said detention house

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Act 188. Queen Emma House Reservation.

or special ward, or any person examined on appeal or for parole or discharge from said detention house or special ward, shall be wholly unable to pay said fees, or if, on any application for parole or discharge or on an appeal, the parole or discharge shall be granted or the appeal sustained, the fees for examination shall be a charge upon the county or city and county from which said patient was committed, similarly as provided by Section 1084 of the Revised Laws of Hawaii, 1915, in the case of examinations of insane persons for discharge from the insane asylum.

SECTION 18. This Act shall take effect upon its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 188

AN ACT

AUTHORIZING THE GOVERNOR TO SET ASIDE BY EXECUTIVE ORDER TO THE DAUGHTERS OF HAWAII, A HAWAIIAN CORPORATION, A CERTAIN PIECE OF LAND IN NUUANU VALLEY, HONOLULU, KNOWN AS THE "QUEEN EMMA HOUSE RESERVATION," FOR THE PURPOSE OF A HAWAIIAN MUSEUM.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The governor of the Territory is hereby authorized and empowered to set aside by executive order, under such conditions as he may deem advisable to the Daughters of Hawaii, a Hawaiian corporation, a certain piece of property in Hanaiakamalama, Kaukahoku, Nuuanu Valley, Honolulu,

Act 188. Queen Emma House Reservation.

Oahu, known as the "Queen Emma House Reservation," for the purpose of maintaining and caring for such property as a Hawaiian Museum, subject to such rules and regulations as may be adopted from time to time by the boards of supervisors of the City and County of Honolulu, said property being more particularly described as follows, to-wit:

Beginning at an iron pin at the West corner of this piece, the co-ordinates of which point referred to Government Survey Trig. Station "Rosebank" are 2,674.0 feet North and 724.8 feet East, the true azimuth and distance to the base of the West corner of the "Queen Emma House" being $280^{\circ} 55' 71.0$ feet, as shown on Government Survey Registered Map No. 2,398, and running by true azimuths:

1. $236^{\circ} 00'$ 175.0 feet to an iron pin;
2. $326^{\circ} 00'$ 130.0 feet to an iron pin;
3. $56^{\circ} 00'$ 175.0 feet to an iron pin;
4. $146^{\circ} 00'$ 130.0 feet to the point of beginning.

Area 22,750 square feet, more or less.

SECTION 2. This Act shall take effect upon its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 189. Marketing Division Revolving Fund.

ACT 189

Am. Act. 200 Nov. 3/4

AN ACT

TO PROVIDE A REVOLVING FUND FOR THE OPERATION AND MAINTENANCE OF THE TERRITORIAL MARKETING DIVISION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. To provide a working capital for the operation and maintenance of the territorial marketing division, the sum of seven thousand five hundred dollars (\$7,500.00) is hereby appropriated from the general revenues of the Territory, to be immediately deposited with the treasury as a continual deposit to be known as the "Marketing Division Revolving Fund."

SECTION 2. Withdrawals may be made from time to time, from the marketing division revolving fund on the approval of the superintendent of the marketing division, for the purchase of seeds and crates to be sold to persons applying for the same, and for the purpose of making advances of not more than fifty per cent. of the estimated value of consignments sent to the division for marketing, which have been sold on credit, or sent out of the Territory on consignment.

All advances on consignments may be paid on vouchers, receipted by the superintendent of the marketing division, showing the name of the consignor, the kind, quantity, and estimated value of the goods consigned.

All advances on consignments shall be preferred claims to be deducted before final settlement with consignors.

SECTION 3. All receipts on account of withdrawals and advances authorized by Section 2 of this Act, shall be deposited monthly to the credit of the marketing division revolving fund.

SECTION 4. This Act shall take effect upon its approval.

Approved this 27th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 190. Improvement of Insanitary Land.

Am. Act. 17 S. S. 1916

ACT 190

AN ACT ✓ ✓

TO AMEND CHAPTER 71 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO SANITARY CONDITION OF LAND, BY AMENDING SECTIONS 977, 979, 980, 981, 983, AND 987 AND BY ADDING THREE NEW SECTIONS TO BE KNOWN AS SECTIONS 976A, 981A AND 982A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 976A, and to read as follows:

“Section 976A. Maps and plans. If the board shall in any case recommend a system of drainage or of filling and drainage, the superintendent of public works shall, upon receipt of such notice, prepare a map of the land so reported upon by the board of health and to be so drained, or filled and drained, which land shall constitute a drainage district; said map shall show the district to be so drained, or filled and drained, the location and the size of each parcel or lot therein, a list of all known owners and occupants of such lots, the lots or parcels either within or without such drainage district through which rights of way for drains or ditches for draining said district are necessary, the amount of land necessary to be taken for such drains or ditches and for the banks thereof, a description of the same, an estimate of the value of said lands so sought to be taken for such rights of way, and of the damages sustained by any person or corporation by reason of such appropriation irrespective of any benefit to be derived by such land owners by reason of the construction of such improvements, which estimates shall be made respectively as to each person or corporation through whose land said rights of way are sought to be appropriated; such map shall also show the extent and location of the proposed

Act 190. Improvement of Insanitary Land.

drains or ditches, the width, depth and slope of the sides thereof, an estimate of the total cost of the system of drainage in and for said district, including therein among other things the cost of acquiring the necessary rights of way as aforesaid and of making ditches; estimates of the cost, respectively, of the filling of each lot or parcel of land in said district; and the estimate of the cost to be apportioned to and assessed against each lot or parcel of land in said district for the drainage as aforesaid of such lot or parcel, the apportionment to be as hereinafter required.

If the board of health shall recommend only that the land be filled, such map shall, so far as practicable, show the present heights of each parcel, the height to be filled to, the approximate amount of fill required for each parcel and the estimated cost thereof.

The superintendent of public works may, in his discretion, embody any of the information herein required in a statement to accompany the appropriate map instead of placing the same upon the map."

SECTION 2. Section 977 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 977. Notice to owners to improve. It shall be the duty of the superintendent of public works upon the receipt of such notice to cause a copy of the same to be served in the manner prescribed in Section 978 upon the owner or occupant of such land. The superintendent shall also notify each owner or occupant that a detailed statement and map or plan of the proposed improvement is on file in his office accessible to such owner or occupant. Said superintendent shall at the same time and in the same manner serve notice that, in case of failure to begin work upon such improvements within twenty days, or such further time in special cases as to said superintendent may seem reasonable, and to complete such work within a reasonable time in such notice designated, such work or so much

Act 190. Improvement of Insanitary Land.

thereof as may remain undone will be done by the Territory at the cost of the lands benefited thereby."

SECTION 3. Section 979 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 979. Appeal. During the period of twenty days, or such further time in special cases as is specified in the notice given pursuant to the provisions of Section 977, any owner or occupant of land sought to be improved, his attorney or agent, may file an appeal from the decision of the board of health condemning the land as deleterious to the public health or from its decision or the order of the superintendent of public works as to the nature and extent of the improvements to be made, including the size, character and location of any drains or ditches, and within twenty days after written demand by the superintendent of public works on the owner or occupant of any land in a drainage district improved by drainage under this chapter, for the payment of the cost of any such drainage, such owner or occupant, his attorney or agent, may file an appeal from the order of the said superintendent apportioning the cost of such drainage to be borne by his land. All appeals shall be filed with the superintendent of public works and the superintendent shall transmit them to the circuit court of the circuit wherein the land is situated."

SECTION 4. Section 980 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 980. Hearing, decision. Said court shall, upon receiving any such appeal from the superintendent of public works, appoint three disinterested persons who shall sit as a board to hear and determine such appeals. They shall have power to determine whether or not the land is deleterious to the public health and whether the improvements of the nature designated in such notice are required, and if such improvements are not required, what, if any, improvements are required

Act 190. Improvement of Insanitary Land.

in order to render such lands sanitary; such board shall also have power upon any such appeals to determine the amount to be in conformity with the provisions of Section 982A, apportioned to and assessed against each lot or parcel for such drains or ditches and for the lands acquired therefor and for all other cost, if any, of such drainage system, and whether or not any lands are improperly included in or excluded from the drainage district. The decision of a majority of the board as to the necessity and nature and extent of the improvements and as to the apportionment of the cost of any drainage system shall be final and conclusive upon all parties in interest. The board shall appoint a time and place for hearing, first giving reasonable notice thereof to the president of the board of health, the superintendent of public works, and the owner or occupant of the land in question. Service of such notice shall be as provided in Section 978. As compensation for their services each member of the board shall be entitled to receive five dollars (\$5.00) for each day of actual service."

SECTION 5. Section 981 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Section 981. Plans, etc. The superintendent of public works shall transmit to the board with each appeal the appropriate map or plan (or a copy thereof) of the lands to be improved prepared as aforesaid in accordance with the requirements of Section 976A, and shall also transmit to the board with each appeal a statement of the matters and things required as aforesaid by Section 976A to be noted upon or to accompany said map."

SECTION 6. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 981A, and to read as follows:

"Section 981A. Entry upon and acquisition of land. The superintendent of public works shall have power to enter upon

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all lands on the routes of such proposed drains or ditches for the purpose of examining, surveying and laying out the route thereof, and upon all lands proposed to be included in any such drainage district for the purpose of determining whether the same or any portion thereof shall be included in such district, and to institute and conduct proceedings for the condemnation of all lands declared by him when his order is not appealed from or by the aforesaid board on appeal, to be necessary for rights of way for such drains or ditches. In acquiring any such lands the method pursued shall be as prescribed in Chapter 48 of the Revised Laws of Hawaii, 1915, provided, however, that in acquiring by condemnation proceedings any land situated within such drainage district the award of compensation therefor shall be without deduction for any benefits accruing to the remainder of the lot or parcel by reason of the construction of such improvement.

Any lands acquired by condemnation as aforesaid for rights of way for drains or ditches shall be paid for out of any funds available for the improvement of any lands under this chapter."

SECTION 7. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as Section 982A, and to read as follows:

"Section 982A. Cost of improvement; how apportioned. The cost of the improvements made or completed by the superintendent of public works shall be apportioned as follows:

1. The cost of filling any lot or parcel shall be borne by such lot or parcel;
2. The cost of any drainage system including the cost of drains or ditches, damages for property taken for the same and other expenses, if any, shall be apportioned among all the lots or parcels in the drainage district in proportion to their respective areas."

SECTION 8. Section 983 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

Act 190. Improvement of Insanitary Land.

“Section 983. Lien. The cost of the improvements made or completed by the superintendent of public works as determined and apportioned pursuant to the provisions of this chapter shall constitute a lien upon the land improved, which lien shall have priority over all other liens.”

SECTION 9. Section 987 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 987. Appropriation. There is appropriated out of the general revenues the sum of three hundred thousand dollars (\$300,000.00) to be used for the purpose of carrying out the provisions of this chapter, and for the purpose of improving lands in government ownership which are low, insanitary and dangerous to public health, which sum shall be set aside in the treasury of the Territory as a special fund for use for such purposes, and all moneys withdrawn from such fund shall be reimbursed or restored thereto so far as may be out of any moneys repaid or collected under the provisions of this chapter.”

SECTION 10. This Act shall take effect upon its approval.


Approved this 27th day of April, A. D. 1915.

And. Act. 17 S. S. 1918

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 191. Obscene and Censorious Publications.

ACT 191

AN ACT 

TO AMEND SECTION 4129 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO OBSCENE AND CENSORIOUS OR RIDICU-
LOUS PUBLICATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 4129 of the Revised Laws of Hawaii,
1915, is hereby amended so as to read as follows:

“Section 4129. Obscene and censorious or ridiculous pub-
lications. The importing, printing, publishing, lending, sell-
ing, offering for sale, putting into circulation, distributing, lend-
ing, exhibiting publicly, or introducing into any family, school
or place of education, any obscene picture, or pamphlet, sheet
or other thing containing obscene language, obscene prints, fig-
ures, description or representations, manifestly tending to the
corruption of the morals of youth, or of morals generally; or
buying, procuring, receiving, or having in possession, any such
picture, book, pamphlet, sheet or other thing, with intent to sell,
circulate, distribute, lend or exhibit the same, or to introduce
the same into any family, school or place of education, or pub-
lishing any censorious or ridiculous writing, picture, sign or
letter, (whether such letter be signed with the real name of the
author or not) which is calculated to injure the reputation, trade
or profession of another or to hold him up to hatred, contempt
or ridicule, is a common nuisance.”

SECTION 2. This Act shall take effect from and after the
date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 192

AN ACT ✓ ✓

TO AMEND SECTIONS 2926 AND 2931 OF THE REVISED LAWS OF HAWAII, 1915, AS AMENDED BY ACT 56 OF THE SESSION LAWS OF 1915, RELATING TO DIVORCE.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2926 of the Revised Laws of Hawaii, 1915, as amended by Act 56 of the Session Laws of 1915, is hereby amended to read as follows:

“Section 2926. Grounds for divorce. Divorces from the bond of matrimony shall be granted for the causes hereinafter set forth and no other.

First. For adultery in either party; or for wilful and utter desertion for the term of one year; or when either party is sentenced to imprisonment for life, or for seven years or more, and no pardon granted to a party so sentenced, after divorce, for such a cause, shall restore such party to conjugal rights.

Second. When one of the parties has contracted and is afflicted with leprosy; in which case either the party afflicted or the party not afflicted may maintain the action on said ground.

Third. For extreme cruelty; habitual intemperance; or when the husband, being of sufficient ability to provide suitable maintenance for his wife, neglects or refuses to do so for a continuous period of not less than sixty days. But if the party applying for a divorce shall not insist upon a divorce from the bond of matrimony, a divorce only from bed and board shall be granted, and the relations of the parties after such divorce shall be regulated by the existing laws concerning separation.”

SECTION 2. Section 2931, Revised Laws of Hawaii, 1915, as amended by Act 56 of the Session Laws of 1915, is hereby amended to read as follows:

Act 192. Divorce.

Act 193. Appropriations: Public Improvements.

“Section 2931. Proof. Admission incompetent except to prove marriage. Upon the hearing of every libel for divorce the judge shall require exact legal proof upon every point, notwithstanding the consent of parties; and the admission of the respondent shall not be competent evidence, except to prove the original marriage. But in all cases in which a decree of divorce is asked for on the ground that one of the parties has contracted and is afflicted with leprosy, the proof of the fact that such a person has been declared by law to be a leper and, as such, is held in segregation by territorial authority, shall be taken to be prima facie showing that such person has contracted and is afflicted with leprosy.”

SECTION 3. This Act shall take effect on and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 193 ~~X~~
AN ACT

Amd. Act. 1915 55
Sess. Act. 1915 55
Dec. 4.

TO AMEND SECTIONS 1 AND 2 OF ACT 166 OF THE SESSION LAWS OF 1911, PROVIDING FOR PUBLIC IMPROVEMENTS, AS AMENDED BY ACT 170 OF THE SESSION LAWS OF 1913 AND ACT 39 OF THE SESSION LAWS OF 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1 of Act 166 of the Session Laws of 1911, providing for public improvements, as amended by Act

Act 193. Appropriations: Public Improvements.

170 of the Session Laws of 1913 and Act 39 of the Session Laws of 1915, is hereby amended so as to read as follows:

“Section 1. The following sums are hereby appropriated for the following purposes, out of any available moneys now in the treasury or hereafter received by the treasurer for or on account of loan funds, and bonds may be issued as provided by law to the extent necessary to yield the amounts herein appropriated:

TERRITORIAL IMPROVEMENTS.

- | | |
|---|---------------|
| 1. Honolulu Water Works . . . | \$394,505.91 |
| 1a. Honolulu Sewers | 150,000.00 |
| 3. To condemn and acquire certain water shed and water rights in Palolo Valley, and construction of reservoir and pipe line thereto | 74,600.00 |
| | \$ 619,105.91 |

WHARF AND HARBOR IMPROVEMENTS.

(To be expended under the direction of the Harbor Commission.)

- | | |
|--|------------|
| 4. Honolulu, including purchase of marine railway land | 909,000.00 |
| 5. Hilo, on condition that the Hilo Railroad Company enters into an agreement satisfactory to the Harbor Commission to extend its railroad to such wharf and thereafter operate it to such wharf as a common carrier for a term of not less than ten years . . . | 325,000.00 |

Act 193. Appropriations: Public Improvements.

6. Hilo Wharf Approach from Waiakea	40,000.00	
7. Napoopoo, (Wharf and Shed)	12,423.95	
8. Kihei	14,997.45	
8a. Kalaupapa	10,000.00	
8b. McGregor	10,000.00	
9. Waikane	7,498.93	
9b. Kailua, North Kona, Hawaii	12,500.00	
9d. Kauai	30,000.00	1,371,420.33

**NEW BUILDINGS, ADDITIONS, EQUIPMENT AND
OTHER IMPROVEMENTS, AS FOLLOWS:**

11. Library of Hawaii	25,000.00
12. College of Hawaii	75,000.00
13. Girls' Industrial School ...	39,999.61
15. Boys' Industrial School ...	29,867.41
16. Lahainalua School	24,040.97
16a. Road, Lahaina to Lahaina- luna School	21,500.00
17. Insane Asylum	90,000.00
18. Prison	150,000.00
19. Kalihi Hospital	24,618.49
19a. Board of Health Building, Hilo	9,939.45
19b. Armory, Honolulu, on condi- tion that suitable site be ob- tained therefor	120,000.00
19c. Armory, Lahaina	9,833.00
19d. Kapiolani Park Improve- ments	6,987.20

Providing a sufficient amount shall be expended for the boring of an artesian well with the consent

Act 193. Appropriations: Public Improvements.

and advice of the board of supervisors of the City and County of Honolulu.

19e. Reclamation, Government		
• Swamp Lands, Lahaina . . .	35,000.00	
19f. Addition to South Hilo Court House	4,090.31	
19g. Marketing Division	14,400.00	
19h. Sanitorium	10,000.00	690,276.44."

SECTION 2. Section 2 of Act 166 of the Session Laws of 1911, providing for public improvements, as amended by Act 170 of the Session Laws of 1913 and Act 39 of the Session Laws of 1915, is hereby amended so as to read as follows:

"Section 2. The following sums also are hereby appropriated for the following purposes, out of any available moneys now in the treasury or hereafter received by the treasurer for or on account of loan funds and bonds may be issued as provided by law to the extent necessary to yield the amounts herein appropriated:

CONSTRUCTION OF BELT ROADS AND BRIDGES.

20. City and County of Honolulu	200,000.00
21. County of Maui	297,000.00

The unexpended balance of the above appropriation shall be expended as follows: New Road from Kihei through homesteads towards Kamaole, \$5,000.00;

Improvements, roads in Haiku-Pauwela Kuiaha-Kaupakulua District, \$35,000.00;

Act 193. Appropriations: Public Improvements.

- Kahakuloa Road, \$10,000.00;
 Hana Bridges, \$10,000.00.
 22. County of Hawaii 600,000.00

Of which so much as may be necessary not exceeding \$30,000.00 shall be expended on the road from the end of the macadam road to Ookala and running towards Honokaa, in the District of Hamakua. Provided, however, that all unexpended of the above appropriation shall be expended for the construction of the belt road portion of Keamuku between Waiamea, South Kohala and North Kona, Hawaii.

24. County of Kauai 100,000.00 1,197,000.00

COUNTY AND CITY AND COUNTY IMPROVEMENTS.

City and County of Honolulu:

25. Land damages, widening and macadamizing Frog Lane, from School Street to Kuakini Street 963.73
 25a. Water Works and Sewers, Honolulu 105,494.09

County of Maui:

27. Completion of Kula Pipe Line and its branches, extending the main line from Waiakamoi to water head in Puohokamoa, the building of reservoirs at Waiakamoi, at or near Paliuli and Keokea. 49,496.60

Act 193. Appropriations: Public Improvements.

28.	Construction of reservoir at or near Olinda, and burying Kula pipe line.....	50,000.00	
29.	Other new water works, including extension and improvements of Wailuku-Kahului Water Works	30,000.00	
	New Buildings and Improvements, Kula Farm and Sanitarium	10,000.00	
County of Hawaii:			
30.	Kau Water Works, pipe lines from Waiohinu Springs to Kamaoa Homesteads via Kiolakaa and Keaa Homesteads, and branch lines ..	4,981.96	
31.	Purchase of water sheds, Hilo, from the Hawaiian Board of Missions	7,500.00	
32.	Waiohinu	4,975.58	
33.	Kamuela Water Works	2,432.31	265,844.27

**SCHOOL BUILDINGS AND EQUIPMENTS, AS
FOLLOWS:**

City and County of Honolulu:

35.	Kaimuki	60,000.00	
36.	Pohukaina	30,000.00	
37.	Kauluwela	30,000.00	
38.	Kalihi-kai	8,000.00	
39.	Kahala	2,000.00	130,000.00

County of Maui:

40.	Lahaina	29,573.27	
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Act 193. Appropriations: Public Improvements.

41. Miscellaneous, School Buildings and Additions..	17,818.21	47,391.48	
County of Hawaii:			
42. Hilo Union ...	64,992.22		
43. Napoopoo	8,000.00		
44. Keaiwa, Kau ..	2,859.20	75,851.42	
County of Kauai:			
45. Eleele		20,000.00	273,242.90.

COUNTY BUILDINGS.

City and County of Honolulu:

46. Waialua Court House, Jail and Jailor's Cottage	6,000.00		
47. Purchase site and new Court House, Jail and Jailor's Cottage, Ewa	9,047.30	15,047.30	

County of Hawaii:

48. Hospital and Building at Po- popiia, Kona ..	7,419.28		
49. Hospital, N. Ko- hala	4,982.19	12,401.47	

County of Kauai:

50. County Build- ing, Lihue		60,000.00	87,448.77
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Total\$4,504,338.62."

SECTION 3. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 194

AN ACT

APPROPRIATING ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS FOR THE PURPOSE OF REPAYING MONEYS WRONGFULLY COLLECTED AS MERCHANDISE LICENSE TAX UNDER SECTIONS 764 TO 768 OF THE PENAL LAWS OF 1897.

WHEREAS, certain persons, firms and corporations doing business in the Territory of Hawaii, were required to pay and did pay into the treasury of Hawaii certain amounts as license tax, imposed by Sections 764 to 768 of the Penal Laws of 1897; and

WHEREAS, said Sections 764 to 768 of the Penal Laws were, on January 26, 1901, declared by the Supreme Court of the Territory of Hawaii unconstitutional; and

WHEREAS, by Act 143 of the Session Laws of 1911, the sum of twenty thousand dollars (\$20,000.00) was appropriated for the purpose of repaying the moneys wrongfully collected as aforesaid, it being provided in said Act that all claims for repayment as aforesaid should be presented on or before the 30th day of June, 1911, or be forever barred; and

WHEREAS, the said appropriation of twenty thousand dollars (\$20,000.00) was insufficient to pay the claims duly presented on or before the 30th day of June, 1911, to the treasurer of the Territory of Hawaii, as provided in said Act 143 of the Session Laws of 1911, and the further sum of seven thousand four hundred sixty-three and 44/100 dollars (\$7,463.44) was appropriated by Act 52 of the Session Laws of 1913 for the purpose of repaying the moneys so wrongfully collected as aforesaid; and

WHEREAS, on or before the 30th day of June, 1911, the following persons presented to the treasurer of the Territory

Act 194. License Refund.

of Hawaii, as provided in said Act 143 of the Session Laws of 1911, their claims for the repayment of moneys wrongfully collected from them as aforesaid, that is to say,

2.	Tai Foo Tong, Waimea, Kauai (Paid June 19, 1900)	\$ 50.00
3.	N. Abe, Hawi, N. Kohala, Hawaii (Paid June 19, 1900)	50.00
17.	Foo Kee, Heeia, Koolauloa, Oahu (Paid June 21, 1900)	50.00
58.	Apo, Hoopuloa, S. Kona, Hawaii (Paid July 2, 1900)	50.00
69.	Han Kee Co., King St., Honolulu (Paid July 6, 1900)	50.00
75.	Ah Fook, Keokea, Kula, Maui (Paid July 9, 1900)	50.00
83.	Apo, Waiohinu, Kau, Hawaii (Paid July 11, 1900)	50.00
148.	L. Hee, Kapaa, Kohala, Hawaii (Paid July 23, 1900)	50.00
150.	Inokuchi, Niulii, N. Kohala, Hawaii (Paid July 27, 1900)	50.00
166.	T. Aona, Makawao, Kula, Maui (Paid July 30, 1900)	50.00
167.	Len Chong, Nahiku, Hana, Maui (Paid July 30, 1900)	50.00
175.	Hung Chong, Lahaina, Maui (Paid July 31, 1900)	50.00
....	Satsu Katsunai, Makapala, Kohala, Hawaii (Paid August 6, 1900)	50.00
207.	Heopon, Pauoa, Punchbowl St., Honolulu (Paid August 6, 1900)	50.00
249.	Kwong Chong, Beretania St., near Keeau-moku (Paid August 16, 1900).....	50.00

Act 194. License Refund.

270.	Wing Hing Chong, Nahiku, Hana, Maui (Paid August 17, 1900)	50.00
299.	Chun Sack, Kaluanui, Koolauloa, Oahu (Paid August 29, 1900)	50.00
304.	W. Aki, Hilea, Kau, Hawaii (Paid Aug- ust 31, 1900)	50.00
307.	Aki, Kukui St., Honolulu (Paid Sept. 1, 1900)	50.00
313.	Kee Hop, Honuapu, Kau, Hawaii (Paid Sept. 4, 1900)	50.00
319.	Kwong Tai Jan & Co., Kalihiwai, Hana- lei, Kauai (Paid Sept. 6, 1900)	50.00
394.	L. Ah Fook, Halekauila, near South St. (Paid Sept. 29, 1900)	50.00
425.	L. Ah Yin, Halekauila, near South St. (Paid October 6, 1900)	50.00
445.	Sun Kee, Beretania, near King St., Ho- nolulu (Paid October 9, 1900).....	50.00
557.	Dack Sing, King St., Honolulu (Paid November 2, 1900)	50.00

25 Claims\$1,250.00; and

WHEREAS, the appropriation made by said Act 52 of the Session Laws of 1913 was insufficient to pay said claims, Therefore,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of one thousand two hundred and fifty dollars (\$1,250.00) is hereby appropriated out of any moneys in the treasury received from the general revenues for the purpose of paying back the amounts collected as license tax under Sections 764 to 768 of the Penal Laws of 1897, claims for which were duly presented, according to the requirement of

Act 194. License Refund.

Act 195. Parole of Prisoners.

said Act 143, to the treasurer of the Territory of Hawaii on or before the 30th day of June, A. D. 1911.

SECTION 2. Such claims shall be paid upon warrants issued by the auditor of the Territory of Hawaii, payable to such persons as have complied with the provisions of Sections 2 and 3 of Act 143 of the Session Laws of 1911.

SECTION 3. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 195

AN ACT ✓ ✓

Am. Act. 103 1915 145

TO AMEND CHAPTER 107, REVISED LAWS OF HAWAII, 1915,
RELATING TO PAROLE OF PRISONERS, BY ADDING THERETO
A NEW SECTION TO BE NUMBERED AS SECTION 1493A.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Chapter 107 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto a new section to be numbered as Section 1493A, and to read as follows:

“Section 1493A. Right to parole. Any prisoner serving a definitely fixed sentence, at the expiration of one third of his service of the sentence imposed upon him, providing said one-third is less than the minimum term provided by law for the crime for which he has been convicted, shall have the right to

Act 195. Parole of Prisoners.

Act 196. Irrigation Ditch; Anahola Homesteads.

apply for and may receive parole under all the provisions of this chapter, relating to parole of prisoners.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 196

AN ACT

MAKING A SPECIAL APPROPRIATION FOR THE CONSTRUCTION OF AN IRRIGATION DITCH FOR THE BENEFIT OF THE ANAHOLA HOMESTEAD LANDS, TO BE REIMBURSED FROM THE PROCEEDS OF THE SALES OF HOMESTEAD LANDS IN THE ISLAND OF KAUAI.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of two thousand dollars (\$2,000.00) is hereby appropriated from the general revenues of the Territory of Hawaii for the construction of an irrigation ditch through the Anahola Homesteads, District of Kawaihau, Island of Kauai, to be reimbursed from the proceeds of sales of homestead lots in the Island of Kauai.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 197. Justification of Sureties.

ACT 197

AN ACT

TO PROVIDE FOR THE JUSTIFICATION OF SURETIES ON BONDS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Whenever by any law, regulation, ordinance, order of court, or any rule of any department of the territorial government or of any subdivision thereof, now or hereafter in force, it shall be required of any person to give any written bond or undertaking for the performance of any contract or the provisions of any license, there shall be attached to such bond or undertaking an affidavit of each of the sureties thereon, duly verified by oath, from which it shall appear that the sureties taken together have property situated within the Territory subject to execution and that the sureties taken together are worth in property within the Territory the amount of the penalty specified in the bond or undertaking, over and above all of their debts and liabilities; in default of which justification no such bond or undertaking shall be accepted; provided, however, that if any such bond or undertaking shall be executed by the principal and by any corporation, organized for the purpose of becoming surety on such bonds, authorized under the laws of the United States or of the Territory to act as surety, and doing business in the Territory under the provisions of the laws of the United States and of the Territory, if a foreign corporation, and under the laws of the Territory, if a Hawaiian corporation, may be accepted as surety on such bonds in lieu of the personal sureties hereinafter required, whenever, in the opinion of the officer or officers whose duty it is to approve such bond, the rights of all parties in interest will be fully protected; and further provided, that when the surety on any such bond is such corporation, no other justification shall be required.

Handwritten notes: 78, 107, and a signature.

Act 197. Justification of Sureties.
Act 198. Assault and Battery.

SECTION 2. This Act shall take effect from its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 198

AN ACT ✓✓

TO AMEND SECTION 3883 OF THE REVISED LAWS OF HAWAII,
1915, PRESCRIBING PUNISHMENT FOR THE OFFENSE OF
ASSAULT AND BATTERY.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3883 of the Revised Laws of Hawaii,
1915, is hereby amended to read as follows:

“Section 3883. Slight corporal injuries. Whoever inflicts a slight corporal injury upon another, as by striking him with his fist, spitting in his face, inciting and causing a dog to bite him, or any injury of a like gravity, however slight, is guilty of an assault and battery, and shall be punished by a fine of not more than two hundred dollars, or by imprisonment for not more than one year, in the discretion of the court.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 199. Vacation of Public Employees.

ACT 199

AN ACT

TO PROVIDE FOR THE VACATION OF PUBLIC EMPLOYEES.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Whenever any employee working under a regular monthly salary in any department of the territorial government shall have been employed continuously for at least one year in the same department, he shall be entitled to at least two weeks vacation, upon full pay, for each year thereafter while he remains in the employ of such department, the said vacation to be granted to the employee at such time as shall be designated by the head of the department.

Approved SECTION 2. The right to two weeks vacation per year during employment may hereafter be cumulative so as to allow the employee a continuous vacation for a period of not to exceed eight weeks on full pay computed upon the basis of two weeks per year, but in no case shall the accumulated period extend beyond eight weeks of vacation at any one time.

SECTION 3. The provisions of this Act shall not apply to school teachers or school principals employed in the public schools of the Territory of Hawaii.

SECTION 4. This Act shall take effect from the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Amd. Act. 153 Nov 7, 1915

Amd. Act. 201 S. L. 1921

ACT 192 S. L. 1923

Act 200. Unpaid Bills; County of Hawaii.

ACT 200 X

AN ACT

AUTHORIZING THE COUNTY OF HAWAII TO PAY CLAIMS INCURRED PRIOR TO DECEMBER 31, 1914, OUT OF THE RECEIPTS OF 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The board of supervisors of the County of Hawaii is hereby authorized and empowered to pay out of the receipts of the year 1915 all such claims as were incurred prior to December 31, 1914, for supplies furnished for labor and services rendered and performed for and on behalf of the County of Hawaii, and as may be found proper and duly approved by the said board of supervisors; provided, however, that the aggregate sum of the said claims shall not exceed thirty-five thousand dollars (\$35,000.00).

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 201. Foreign Corporations.

ACT 201

AN ACT ✓✓

TO AMEND SECTION 3378 OF THE REVISED LAWS OF HAWAII,
1915, PERTAINING TO FOREIGN CORPORATIONS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3378 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“Section 3378. Must file papers and bond. Every corporation or incorporated company formed or organized under the laws of any State of the United States or of any foreign state or country, which shall undertake to do or carry on any business in this Territory or to take, hold, sell, demise or convey real estate or any other property therein, shall file in the office of the treasurer of the Territory:

“1. A certified copy of the Charter or Act of incorporation of such corporation or company;

“2. The names of the officers thereof;

“3. A certified copy of the by-laws of such corporation or company;

“4. The name and business address of some person residing within the Territory upon whom legal notice and process from the courts of this Territory, or notices from officials of the Territory, may be served;

“5. A good and sufficient bond or bonds with one or more sureties to be approved by the treasurer of the Territory of Hawaii, and running to said treasurer and his successors in office, in a sum or sums to be fixed by the treasurer in his sound discretion, but in the aggregate sum of not less than one thousand dollars (\$1,000.00) nor more than ten per cent. of the capital stock of said corporation or company if its capital stock shall exceed the sum of ten thousand dollars (\$10,000.00),

Act 201. Foreign Corporations.

but in no case, however, shall such bond exceed the sum of fifty thousand dollars (\$50,000.00) with condition that the surety or sureties on such bond or bonds shall be answerable in the amount of said bond or bonds for all judgments, decrees, or orders given, made, or rendered against the principal on said bond or bonds by any of the courts of this Territory for the payment of money. Provided, however, that, if in the judgment of the treasurer of the Territory, any such corporation or company shall own and hold property within the Territory of Hawaii in value sufficient to equal the amount of any bond or bonds which said treasurer of the Territory would otherwise require from such corporation or company as provided herein, then no bond shall be required of any such corporation or company.

“6. In case of any breach of the condition of any bond or bonds given under the provisions of this Act, the treasurer may, and upon demand and the receipt of satisfactory assurance for the payment of costs shall enforce said bond either in his own name or in the name of any person as obligee therein by appropriate proceedings in any court of competent jurisdiction for the use and benefit of any person injured by such breach.”

SECTION 2. This Act shall take effect on the first day of July, 1915.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 202. Additional Income Tax.

Amd. Act. 206 S. L. 1915

ACT 202

AN ACT

TO AMEND SECTIONS 3 AND 6 OF ACT 117 OF THE SESSION LAWS OF 1915, PROVIDING AN ADDITIONAL INCOME TAX OF ONE PER CENT. ON ALL CORPORATION INCOMES AND UPON INDIVIDUAL INCOMES IN EXCESS OF \$4,000.00.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3 of Act 117 of the Session Laws of 1915 is hereby amended to read as follows:

“Section 3. Taxation period. The taxation period within the meaning of this Act shall be the year immediately preceding the first day of January of each year in which such tax is payable; provided, however, that the first taxation period under this Act shall be the year immediately preceding the first day of January, 1916.”

SECTION 2. Section 6 of Act 117 of the Session Laws of 1915 is hereby amended to read as follows:

“Section 6. This Act shall take effect on January 1, 1916, and shall relate retrospectively to give full effect to the provisions herein contained with respect to taxes for the first taxation period hereunder, and shall continue in force to and including December 31, 1917; provided, that all taxes assessed under the provisions of this Act which shall remain unpaid at the end of such period shall be subject to collection and enforcement in the same manner as though all the provisions of this Act were still in force with respect thereto.”

SECTION 3. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 203. Appointment of District Magistrates.

ACT 203

Amd. Act. 204 S. L. 1917

AN ACT ✓ ✓

RELATING TO THE APPOINTMENT OF DISTRICT MAGISTRATES
AND AMENDING SECTION 2295 OF THE REVISED LAWS OF
HAWAII, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2295 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“Section 2295. District Magistrates. There shall be appointed one or more district magistrates for each judicial district of the Territory; such appointment shall be made by the governor of the Territory. Each magistrate shall reside in the district for which he is appointed, and such magistrate shall have passed an examination for admission to practice in the district courts of this Territory.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 204. Warehouse at Hanalei.

Act 205. Pension for S. Kahoohalahala.

ACT 204 ✕

AN ACT

APPROPRIATING THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR THE BUILDING OF A GOVERNMENT WAREHOUSE AT HANALEI, COUNTY OF KAUI.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The sum of two thousand dollars (\$2,000.00) is hereby appropriated out of any moneys in the treasury of the Territory of Hawaii, not otherwise appropriated, to be expended for the construction of a warehouse at the landing at Hanalei, County of Kauai. Provided, however, that no part of such appropriation shall be expended unless the title to the land upon which such warehouse is to be built shall be quieted to the Territory.

SECTION 2. The superintendent of public works shall have the supervision of the construction of said warehouse.

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 205 ✕

AN ACT

MAKING AN APPROPRIATION FOR THE BENEFIT OF S. KAHOOHALAHALA.

WHEREAS, The Honorable S. Kahoohalahala, District Magistrate of the Island of Lanai, County of Maui, of the

Act 205. Pension for S. Kahoolalahala.

Second Judicial Circuit, Territory of Hawaii, is still in the position of District Magistrate of said Island of Lanai, but is old, feeble and infirm; and

WHEREAS, The said S. Kahoolalahala has filled the said position most faithfully and honorable for a period of more than forty years and that retirement is his due; and

WHEREAS, He is one of the most honored and respected citizens of Hawaii, and in recognition of his most valuable and honorable services; Therefore,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The treasurer of the Territory of Hawaii is hereby authorized and directed to pay, upon warrants issued by the auditor of the Territory, the sum of twenty dollars (\$20.00) each month to Judge S. Kahoolalahala, and to continue so to do for and during the life of the said Judge S. Kahoolalahala. Such payments are hereby appropriated out of moneys received in the treasury of the Territory from the general revenues.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 206. Expenses of Circuit Courts.

and Act 182 1917 325

ACT 206

AN ACT ✓✓

TO AMEND SECTION 2197 OF THE REVISED LAWS OF HAWAII,
1915, RELATING TO EXPENSES, CIRCUIT COURTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2197 of the Revised Laws of Hawaii, 1915, is hereby amended by striking out the marks and figures “(\$100.00).....1,200.00,” in line 30, and inserting in lieu thereof the marks and figures “(\$125.00).....1,500.00”; by striking out the marks and figures “(\$100.00).....1,200.00,” in line 31, and inserting in lieu thereof the marks and figures “(\$125.00).....1,500.00”; by striking out the marks and figures “(\$140.00).....1,680.00,” in line 37, and inserting in lieu thereof the marks and figures “(\$150.00).....1,800.00”; by striking out the marks and figures “(\$115.00).....1,380.00,” in line 38, and inserting in lieu thereof the marks and figures “(\$125.00).....1,500.00”; by striking out the marks and figures “(\$75.00).....900.00,” in line 39, and inserting in lieu thereof the marks and figures “(\$90.00).....1,080.00;” and by striking out the figures “7,000.00,” in line 40, and inserting in lieu thereof the figures “8,000.00.”

SECTION 2. This Act shall take effect July 1, 1915.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 207. Salaries of District Magistrates and Clerks.

ACT 207

Am. Act. 1462 1917 280

AN ACT

Am. Act. 129 1917 203

TO AMEND SECTION 2198 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO THE SALARIES OF DISTRICT MAGISTRATES AND CERTAIN CLERKS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2198 of the Revised Laws of Hawaii of 1915 is hereby amended so that the salaries of the following district magistrates and clerks shall be as follows:

	Per Month.	Per Year.
District Magistrate of Honolulu.....	\$275.00	\$3,300.00
First Clerk, Honolulu District Court..	160.00	1,920.00
Second Clerk, Honolulu District Court.	135.00	1,620.00
District Magistrate of Koolauloa	60.00	720.00
District Magistrate of Lahaina	100.00	1,200.00
District Magistrate of Wailuku	150.00	1,800.00
Clerk and Stenographer, Wailuku District Court	60.00	720.00
District Magistrate of Molokai	50.00	600.00
District Magistrate of Hana	75.00	900.00
District Magistrate of Puna	100.00	1,200.00

SECTION 2. This Act shall take effect upon July 1, 1915.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Am. Act. 1462 1917 280
Am. Act. 129 1917 203
Am. Act. 182 1917 305

Act 208. Circuit Court Officers.

ACT 208

AN ACT ✓✓

AMENDING SECTION 2321 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO APPOINTMENT, REMOVAL, TENURE, DUTIES OF CLERKS, SHORTHAND REPORTERS, AND INTERPRETERS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2321 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows:

“Section 2321. Appointment, removal, tenure, duties. Authority is hereby conferred upon the three judges of the circuit court of the first judicial circuit, or a majority thereof, to appoint one or more interpreters, and upon each of the circuit judges of the other circuit courts, to appoint a stenographer, who shall be a competent shorthand reporter, and one or more interpreters for their respective courts.

Authority is hereby also conferred upon the district magistrate of Honolulu, City and County of Honolulu, upon the district magistrate of South Hilo, County of Hawaii, and upon the district magistrate of Wailuku, County of Maui, respectively, to appoint a clerk or clerks and one or more interpreters for each of said district courts. Each of the shorthand reporters, interpreters and clerks thus appointed shall hold office until removed by the three judges, or a majority thereof, or by the judge or magistrate by whom he is appointed, and shall receive for his services such salary as the legislature may from time to time appropriate therefor. Any one of the said circuit judges may temporarily assign to any shorthand reporter, or interpreter, appointed as aforesaid, any appropriate duties in any court of said Territory other than the one in which he is located. Nothing in this section contained, however, shall be held to prevent the employment by any one of the circuit judges or district

Act 208. Circuit Court Officers.

Act 209. Pounds.

magistrates aforesaid, of any shorthand reporter, interpreter or clerk to serve in individual cases as they may arise, when necessary."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 209

AN ACT ✓ ✓

AMENDING SECTION 577, CHAPTER 41 OF THE REVISED LAWS
OF HAWAII OF 1915, RELATING TO POUNDS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 577, Chapter 41 of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

"Section 577. Swine, goats, to be confined. All owners of swine or goats shall keep such animals confined. In case swine or goats shall trespass upon any land, the owner, if known, shall be notified by the owner or occupier of the land trespassed upon, and if he shall not remove the swine or goats (as the case may be) within twenty-four hours, or if any swine or goats belonging to such owner shall again trespass upon the land of such owner or occupier within a period of thirty days following removal after notice, then such swine or goats, as well as all swine or goats trespassing, the owner of which is unknown, may be killed, and

Act 209. Pounds.

Act 210. Suits Against Partnerships.

the land owner or occupier shall not be liable for damages for "such killing."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 210

AN ACT

IN RELATION TO SUITS AGAINST CO-PARTNERSHIPS AND THE
MEMBERS THEREOF.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Whenever two or more persons, associated in any business, transact such business under a firm name, whether it comprises the names of such persons or not, the associates may be sued by such firm name, the summons in such case being served on one or more of the associates; and any judgment recovered against the firm, as such, may be enforced against the firm property, and against the individual property of any of the associates who have been served with process or who have appeared in the action.

SECTION 2. This Act shall take effect and be in force from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 211. Applications for Liquor Licenses.

ACT 211

AN ACT

Amd. Act. 57 S. L. 1917

RELATING TO PUBLICATION OF NOTICES OF HEARING ON LIQUOR
LICENSES, AMENDING SECTION 2122 OF THE REVISED LAWS
OF HAWAII OF 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2122 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

“Section 2122. Day of hearing, publication. Upon the filing of the inspector’s report upon any application for a license other than of the third class, the board shall fix a day for the public hearing of such application, and shall publish notices of such hearing at least once a week for four consecutive weeks, in some newspapers published in the English language, and, in the discretion of the board, the Hawaiian language, having a general circulation in the election precinct in which the proposed license is intended to be exercised, the date of the hearing to be not less than four weeks after the first publication, and in such notice shall require that all protests or objections against the issuance of the license applied for shall be filed with the secretary of the board at or before said time of hearing. Before making such publication the board shall collect from the applicant the cost of making such application.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 212. Park at Kaimu, Puna.

ACT 212 ✕

AN ACT

DECLARING AND DESIGNATING A CERTAIN TRACT OF GOVERNMENT LAND AT KAIMU, DISTRICT OF PUNA, ISLAND AND COUNTY OF HAWAII, AS A PUBLIC PARK.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The tract of land hereinafter described is hereby declared to be a public park, to be known as the "Kaimu Park," being all that certain tract of government land at Kaimu, in the District of Puna, Island and County of Hawaii, more fully described as follows, to wit:

Beginning at a Δ on a solid rock at the Southwest corner of Lot 42 of the Kaimu-Makena Homesteads, and on the boundary of the land of Makena, the coordinates of said point of beginning referred to Government Survey Trig. Station "Hakuma," being 4,633.9 feet North and 3,129.5 feet East, as shown on Government Survey Registered Map No. 1,812, and running by true azimuths:

1. $203^{\circ} 55'$ 360.0 feet along Lots 42 and 41 of the Kaimu-Makena Homesteads to angle in stone wall;
2. $237^{\circ} 35'$ 370.0 feet along Lot 40;
3. $213^{\circ} 45'$ 303.0 feet along Lot 39 to corner of stone walls at the Southwest corner of Lot 38;
4. $326^{\circ} 50'$ 250 feet, more or less, across sand beach to high water mark;
5. Thence along high water mark to a point on the boundary of the land of Makena, the direct azimuth and distance being $215^{\circ} 10'$ 846 feet, more or less;

Act 212. Park at Kaimu, Puna.

Act 213. Park at Kalapana, Puna.

6. 114° 00' 300 feet, more or less, along the land of Makena to the point of beginning.

Excepting and reserving therefrom a right-of-way 30 feet wide for the Kalapana-Pahoa Road running along the makai boundaries of the said Kaimu-Makena Homestead Lots. Area, 5 10/100 Acres, more or less."

SECTION 2. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 213

AN ACT

DECLARING AND DESIGNATING A CERTAIN TRACT OF GOVERNMENT LAND AT KALAPANA, DISTRICT OF PUNA, ISLAND AND COUNTY OF HAWAII, AS A PUBLIC PARK.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The tract of land hereinafter described is hereby declared to be a public park to be known as the "Kalapana Park."

"All that certain tract of Government land at Kalapana, District of Puna, Island and County of Hawaii, more fully described as follows, to wit:

Beginning at the triangle cut on pahochoc at the West corner of this piece, the North and South corners respectively of Lots 1 and 2, Section 1, of the Waiakolea Homesteads, and the East corner of Grant 1365:1 to Kaaihili, the coordinates of said

Act 213. Park at Kalapana, Puna.

point of beginning referred to Government Survey Trig. Station "Hakuma," being 2,188.0 feet North and 1,103.0 feet East, as shown on Government Survey Registered Map No. 1,812, and running by true azimuths:

1. 226° 10' 749.4 feet along Lot 2, Section I, Waiakolea Homesteads;
2. 141° 00' 530.0 feet along Lot 2, Section I, Waiakolea Homesteads;
3. 228° 40' 134 feet, more or less, along Grant 874 to Kaiwi;
4. 232° 40' 106 feet, more or less, along Grant 874 to Kaiwi;
5. 244° 00' 122 feet, more or less, along Grant 874 to Kaiwi;
6. 259° 00' 88 feet, more or less, along Grant 874 to Kaiwi;
7. 244° 00' 200 feet, more or less;
8. 337° 00' 840 feet, more or less, along Grant 1,009:1 to Mi to high water mark;
9. Thence along high water mark, the direct azimuth and distance being 15° 00' 820 feet, more or less;
10. Thence to and along Lot 1, Section I, Waiakolea Homesteads (Grant 5,016 to S. H. Haaheo), the direct azimuth and distance being: 110° 00' 940 feet, more or less, to the point of beginning. Area 22 80/100 Acres, more or less."

SECTION 2. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 214. Kapiolani Park Lease.
Act 215. Criminal Procedure.

ACT 214 X

AN ACT

TO AUTHORIZE THE CITY AND COUNTY OF HONOLULU TO LEASE FOR CERTAIN PURPOSES PORTIONS OF THE AREA COMPRISED WITHIN THE LIMITS OF KAPIOLANI PARK.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The City and County of Honolulu is hereby authorized to lease for a period not to exceed fifteen (15) years, and upon such terms and conditions as it shall determine, a portion or portions of the area comprised within the limits of Kapiolani Park in said city and county for the construction and maintenance thereon of a polo field and the necessary or proper accessories for such field and for the games to be played thereon; provided, however, that said lease shall contain the condition that no structures of a permanent nature shall be erected by the lessee within the limits of said park makai of Paki Avenue.

SECTION 2. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

See to Ha. 1915
See to Ha. 1916
See to Ha. 1917
See to Ha. 1918

ACT 215

AN ACT

RELATING TO CRIMINAL PROCEDURE IN CIRCUIT COURTS,
AMENDING SECTION 3791 OF THE REVISED LAWS OF HAWAII,
1915, AND AMENDING CHAPTER 215 OF SAID REVISED

Act 215. Criminal Procedure.

LAWS, BY ADDING THERETO THIRTEEN NEW SECTIONS TO BE DESIGNATED AS SECTIONS 3791A, 3791B, 3791C, 3791D, 3791E, 3791F, 3791G, 3791H, 3791I, 3791J, 3774A, 3807A AND 3807B.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 3791 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

“Section 3791. Defects and omissions. No indictment shall be held invalid or insufficient for want of the averment of any matter unnecessary to be proved, for any defect or omission of any matter of form only, for any mis-writing, mis-spelling or improper English, or the use of abbreviations, signs, symbols or foreign words locally in common use and commonly understood, for the omission of the words “as appears upon the record” or “as appears by the record” or of the words “against the peace” or of the words “against the form of the statute” or of the words “against the form of the statutes,” or, provided jurisdiction of the court is shown with certainty sufficient to satisfy a person of ordinary intelligence, for stating time or place imperfectly or incorrectly.

No indictment shall be held invalid or insufficient for want of an averment that the grand jurors were impanelled, sworn or charged, for want of a proper or formal conclusion, for want of or imperfection in the addition of any defendant, or because any person mentioned in the indictment is designated by a name of office or other descriptive appellation instead of his proper name, or because the initial of any person’s given name is stated instead or said given name, or for want of a statement of value or price or the amount of damage or injury in any case where the value or price or the amount of damage or injury is not of the essence of the offense.

Act 215. Criminal Procedure.

SECTION 2. Chapter 215 of the Revised Laws of Hawaii, 1915, is hereby amended by the addition of thirteen new sections as follows:

“Section 3791A. Characterization of the act. The indictment need not allege that the offense was committed or the act done “feloniously,” “unlawfully,” “wilfully,” “knowingly,” “maliciously,” “with force and arms,” or otherwise except where such characterization is used in the statutory definition of the offense. Where such characterization is so used the indictment may employ the words of the statute or other words substantially of the same import. In alleging the transaction the indictment may use the nounal, adjectival, verbal or adverbial form of the statutory name of the offense.

“Section 3791B. Meaning of words and phrases. The words and phrases used in an indictment are to be construed according to their usual acceptation, except words and phrases which have been defined by law or which have acquired a legal signification, which words and phrases are to be construed according to their legal signification and shall be sufficient to convey such meaning.

“Section 3791C. Exceptions. No indictment for any offense created or defined by statute shall be deemed objectionable for the reason that it fails to negative any exception, excuse or proviso contained in the statute creating or defining the offense. The fact that the charge is made shall be considered as an allegation that no legal excuse for the doing of the act existed in a particular case.

“Section 3791D. Alternative allegations. In an indictment for an offense which is constituted of one or more of several acts or which may be committed by one or more of several means or with one or more of several intents or which may produce one or more of several results, two or more of such acts, means, intents or results may be charged in the alternative.

Act 215. Criminal Procedure.

28th 496-484 "Section 3791E. Indirect allegations. No indictment or bill of particulars is invalid or insufficient for the reason merely that it alleges indirectly and by inference instead of directly any matters, facts or circumstances connected with or constituting the offense, provided that the nature and cause of the accusation can be understood by a person of common understanding.

"Section 3791F. Repugnancy. No indictment is invalid by reason of any repugnant allegation contained therein, provided that an offense is indicated under Section 3791I.

"Section 3791G. Surplusage. Any unnecessary allegation contained in an indictment may be rejected as surplusage.

"Section 3791H. Misjoinder. No indictment shall be quashed, set aside or dismissed, nor shall any demurrer thereto be sustained for misjoinder of parties defendant or for misjoinder of offenses charged; and if either defect exists the court may sever the indictment containing it into separate indictments or into separate counts as shall be proper.

"Section 3791I. Sufficiency of averments as to offense and transaction. In an indictment the offense may be charged either by name or by reference to the statute defining or making it punishable; and the transaction may be stated with so much detail of time, place and circumstances and such particulars as to the person (if any) against whom, and the thing (if any) in respect to which the offense was committed, as are necessary to identify the transaction, to bring it within the statutory definition of the offense charged, to show that the court has jurisdiction, and to give the accused reasonable notice of the facts.

Averments which so charge the offense and the transaction shall be held to be sufficient.

"Section 3791J. Form. The indictment may be substantially in the following form:

Act 215. Criminal Procedure.

In the Circuit Court of the.....Circuit. Terri-
tory of Hawaii.Term 19... The Territory of
Hawaii vs....., Defendant.

The Grand Jury of the.....Circuit of the Terri-
tory of Hawaii do present that (Here give name or description
of the accused.) (Here set forth the offense and transaction
according to the rules in this chapter enunciated.)

A True Bill found this.....day of..... 19...

Signed

.....
Foreman of the Grand Jury.

Signed

.....

(Official title of prosecuting officer.)

“Section 3774A. Interpretation. In this chapter: The
term “act” or “doing of an act” includes “omission to act”; the
term “the court” unless a contrary intention appears means the
court before which the trial is had; the term “the offense”
means the specific offense constituted by the acts or omissions
of the accused as distinguished from the term “the transaction”
which means the particular acts, facts and circumstances which
distinguish the offense committed from other offenses of the
same nature.

“Section 3807A. Libel. An indictment for libel need not
set forth any extrinsic facts for the purpose of showing the
application to the party libelled of the defamatory matter on
which the indictment is founded, but it is sufficient to state
generally that the same was published concerning him.

1-4-76-488

“Section 3807B. Principal and accessory before the fact.
Every person concerned in the commission of an offense wheth-
er he directly commits the act constituting the offense, or,

Act 215. Criminal Procedure.

Act 216. Duties of Hawaii County Officers.

being present, aids, incites, countenances or encourages another thereto or is accessory before the fact to the commission thereof within the definition of Section 3673 of the Revised Laws of Hawaii, 1915, may be indicted and tried as if he had directly committed such offense."

SECTION 3. Interpretation of this Act. Nothing in this Act shall be interpreted in such a manner as to make invalid any indictment at present valid, nor to make improper any verdict at present proper.

SECTION 4. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 216 ✓✓

AN ACT

AMENDING CHAPTER 108 OF THE REVISED LAWS OF HAWAII, 1915, BY ADDING THERETO FIVE NEW SECTIONS TO BE KNOWN AS SECTIONS 1513A, 1513B, 1513C, 1513D AND 1513E, PRESCRIBING THE POWERS AND DUTIES OF THE CHAIRMAN AND EXECUTIVE OFFICER OF THE BOARD OF SUPERVISORS AND OTHER OFFICERS AND EMPLOYEES OF THE COUNTY OF HAWAII.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Five new sections are hereby added to Chapter 108 of the Revised Laws of Hawaii, 1915, to be known as Sec-

Act 216. Duties of Hawaii County Officers.

tions 1513A, 1513B, 1513C, 1513D and 1513E, and to read as follows:

"Section 1513A. Powers and duties. The chairman and executive officer of the board of supervisors of the County of Hawaii, immediately upon taking office, shall:

1. Take charge of all the inventories of road machinery, tools, equipment, paraphernalia and supplies of the county in the various districts and have complete and proper inventories checked with the supervisors of each district and see that all the machinery, tools, equipment, paraphernalia and supplies from outgoing supervisors or other county officers and employees, whose term of office or employment has expired, are turned over to the county, and he shall thereafter, as soon as practicable, file a report with the board of supervisors, which report shall fully set forth the amount, kind and condition of property of every kind found and taken over.

2. He shall, as the chief executive officer of the county, have the power and right to take charge of all county road work and other public construction work of the county, and it shall be his duty to see that the appropriations and allotments of funds, as allowed and passed upon by the board of supervisors, are expended and the work performed in a proper manner and in the manner and place that the board has ordered and authorized such work and expenditure.

3. The chairman and executive officer shall vigilantly observe the official conduct of all public officers and employees of the County of Hawaii and the manner in which they execute their official duties and fulfill their obligations. The books, records, official and essential papers of all departments, officers and persons in the employ of the county shall, at all times, be opened to his order, inspection and examination. He shall take special care that the books and records of all departments, boards, officers and employees of the county are kept in legal

Act 216. Duties of Hawaii County Officers.

and proper form. When it shall come to his attention, or he shall have reasonable grounds to believe, that any officer or employee of the county is guilty of misfeasance, nonfeasance, malfeasance or maladministration of official duties, he shall forthwith make a preliminary investigation, and he shall report in writing to the board of supervisors at its next meeting, whether regular or special, the results of his findings in the matter, and the board of supervisors shall immediately make a further investigation, and if its findings so warrant, it shall authorize and institute a legal investigation, pending the determination of which legal investigation it shall have the power to suspend such officer or suspend without pay or remove such employee so charged. The chairman and executive officer shall from time to time recommend to the proper officers of the different departments such measures as he may deem beneficial to the public interest. He shall see that the laws of the Territory and the ordinances of the county are observed and enforced. He shall have a general supervision over all the departments and public institutions of the county, and see that they are honestly, economically, efficiently and lawfully conducted."

"Section 1513B. Further duties, and duties of other officers and employees. The chairman and executive officer shall see that all contracts and agreements with the county are faithfully kept and fully performed. It shall be the duty of every officer and person in the employ or service of the county, when it shall come to his knowledge that any contract or agreement with the county, or with any officer or department thereof, or relating to the business of any office, has been or is about to be violated by the other or either contracting party, forthwith to report to the chairman and executive officer all facts and information within his knowledge or possession concerning such matter. A wilful failure to do so shall be cause for the summary removal of any such employee and for the removal of any officer, in the manner as provided for by law. The chairman

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and executive officer shall, without demand, and within a reasonable time thereafter give his certificate to any person reporting such facts and information, which certificate shall be correctly dated and accurately set forth the time, place, persons, circumstances, nature, scope and substance of disclosures made or information reported, as herein provided, and such certificate shall be evidence in exoneration of any county official or employee from a charge of neglect of this duty, insofar as the certificate shows that such person has fully and truthfully reported matters within his knowledge. The chairman and executive officer may require such information or report to be reduced to writing, sworn to and signed by the person making same. A copy of all such reports made to the chairman and executive officer shall forthwith be filed by him with the county attorney and another copy shall in like manner be filed with the county clerk whose duty it shall be to present the same to the board of supervisors at its next following meeting, at which meeting the chairman and executive officer shall make a report in writing stating what investigation or action he has made or undertaken in the matter."

"Section 1513C. Power of appointment and removal. The chairman and executive officer, subject to the approval of the board of supervisors, shall appoint all officers and employees of the county whose election or appointment is not otherwise specially provided for by law and, subject to such approval, may suspend or remove them. When a vacancy occurs in any office, provision for the filling of which is not otherwise made by law, the chairman and executive officer, subject to approval of the board, shall appoint a suitable person to fill such vacancy, who shall hold office for the remainder of the unexpired term, unless sooner removed for just and lawful cause."

"Section 1513D. Acting chairman and executive officer. When and so long as the chairman and executive officer is temporarily unable to perform his duties, a member of the

Act 216. Duties of Hawaii County Officers.

Act 217. Duties of Maui County Officers.

board of supervisors shall be chosen by the board as chairman and executive officer pro tempore, and in such case, he shall have all the powers and be subject to all the duties of such chairman and executive officer."

"Section 1513E. Failure to perform. A neglect or failure by the chairman and executive officer to perform any of the duties enumerated in Sections 1513A and 1513B of this chapter shall be sufficient cause for his impeachment and removal from office, in the manner provided by law."

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

See 13 Ha. 797

ACT 217

AN ACT ✓✓

AMENDING CHAPTER 108 OF THE REVISED LAWS OF HAWAII, 1915, BY ADDING THERETO FIVE NEW SECTIONS TO BE KNOWN AS SECTIONS 1509A, 1509B, 1509C, 1509D AND 1509E, PRESCRIBING THE POWERS AND DUTIES OF THE CHAIRMAN AND EXECUTIVE OFFICER OF THE BOARD OF SUPERVISORS AND OTHER OFFICERS AND EMPLOYEES OF THE COUNTY OF MAUI.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Chapter 108 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto five new sections as follows:

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“Section 1509A. Powers and duties. The chairman and executive officer of the board of supervisors of the County of Maui, immediately upon taking office, shall:

1. Take charge of all the inventories of road machinery, tools, equipment, paraphernalia and supplies of the county in the various districts and have complete and proper inventories checked with the supervisors of each district and see that all the machinery, tools, equipment, paraphernalia and supplies from outgoing supervisors or other county officers and employees, whose term of office or employment has expired, are turned over to the county, and he shall thereafter as soon as practicable, file a report with the board of supervisors, which report shall fully set forth the amount, kind and condition of property of every kind found and taken over.

2. He shall be the chief executive officer of the county, have the power and right to take charge of all county road work and other public construction work of the county, and it shall be his duty to see that the appropriations and allotments of funds, as allowed and passed upon by the board of supervisors, are expended and the work performed in a proper manner and in the manner and place that the board has ordered and authorized such work and expenditure.

3. The chairman and executive officer shall vigilantly observe the official conduct of all public officers and employees of the County of Maui and the manner in which they execute their official duties and fulfill their obligations. The books, records, official and essential papers of all departments, officers and persons in the employ of the county shall, at all times, be opened to his order, inspection and examination. He shall take special care that the books and records of all departments, boards, officers and employees of the county are kept in legal and proper form. When it shall come to his attention, or he shall have reasonable grounds to believe, that any officer or employee of

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the county is guilty of misfeasance, malfeasance or maladministration of official duties, he shall forthwith make a preliminary investigation, and he shall report in writing to the board of supervisors at its next meeting, whether regular or special, the results of his findings in the matter, and the board of supervisors shall immediately make a further investigation, and if its findings so warrant, it shall authorize and institute a legal investigation, pending the determination of which legal investigation it shall have the power to suspend such officer, or suspend without pay or remove such employee so charged. The chairman and executive officer shall from time to time recommend to the proper officers of the different departments such measures as he may deem beneficial to the public interest. He shall see that the laws of the Territory and the ordinances of the county are observed and enforced. He shall have a general supervision over all the departments and public institutions of the county, and see that they are honestly, economically, efficiently and lawfully conducted.

“Section 1509B. Further duties, and duties of other officers and employees. The chairman and executive officer shall see that all contracts and agreements with the county are faithfully kept and fully performed. It shall be the duty of every officer and person in the employ or service of the county, when it shall come to his knowledge that any contract or agreement with the county, or with any officer or department thereof, or relating to the business of any office, has been or is about to be violated by the other or either contracting party, forthwith to report to the chairman and executive officer all facts and information within his knowledge or possession concerning such matter. A wilful failure to do so shall be cause for the summary removal of any such employee and for the removal of any officer, in the manner as provided for by law. The chairman and executive officer shall, without demand, and within a reasonable time thereafter give his certificate to any person report-

Act 217. Duties of Maui County Officers.

ing such facts and information, which certificate shall be correctly dated and accurately set forth the time, place, persons, circumstances, nature, scope and substance of disclosures made or information reported, as herein provided, and such certificate shall be evidence in exoneration of any county official or employee from a charge of neglect of this duty, insofar as the certificate shows that such person has fully and truthfully reported matters within his knowledge. The chairman and executive officer may require such information or report to be reduced to writing, sworn to and signed by the person making same. A copy of all such reports made to the chairman and executive officer shall forthwith be filed by him with the county attorney and another copy shall in like manner be filed with the county clerk, whose duty it shall be to present the same to the board of supervisors at the next following meeting, at which meeting the chairman and executive officer shall make a report in writing stating what investigation or action he has made or undertaken in the matter.

“Section 1509C. Power of appointment and removal. The chairman and executive officer, subject to the approval of the board of supervisors, shall appoint all officers and employees of the county whose election or appointment is not otherwise specially provided for by law and, subject to such approval, may suspend or remove them. When a vacancy occurs in any office, provision for the filling of which is not otherwise made by law, the chairman and executive officer, subject to approval of the board, shall appoint a suitable person to fill such vacancy, who shall hold office for the remainder of the unexpired term, unless sooner removed for just and lawful cause.

“Section 1509D. Acting chairman and executive officer. When and so long as the chairman and executive officer is temporarily unable to perform his duties, a member of the board of supervisors shall be chosen by the board as chairman and

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executive officer pro tempore, and in such case, he shall have all the powers and be subject to all the duties of such chairman and executive officer.

“Section 1509E. Failure to perform. A neglect or failure by the chairman and executive officer to perform any of the duties enumerated in Sections 1509A and 1509B of this chapter shall be sufficient cause for his impeachment and removal from office in the manner provided by law.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 218 ✕

AN ACT

AMENDING THE FRANCHISE GRANTED TO H. P. BALDWIN, R. A. WADSWORTH, J. N. S. WILLIAMS, D. C. LINDSAY, C. D. LUFKIN, JAMES L. COKE AND W. T. ROBINSON, AND NOW HELD UNDER ASSIGNMENT TO ISLAND ELECTRIC COMPANY, LIMITED, BY EXTENDING IT TO INCLUDE THE MAKAWAO DISTRICT ON THE ISLAND OF MAUI, TERRITORY OF HAWAII; AND EXTENDING THE CONTROL OF THE PUBLIC UTILITIES COMMISSION OF THE TERRITORY OF HAWAII TO SAID FRANCHISE AND ITS HOLDER.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 857 of Chapter 59 of the Revised Laws of Hawaii, 1915, as approved by an Act of Congress approved

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February 6, 1909, is hereby amended by adding after the words "district of Wailuku" wherever appearing in said Section 857 the following words: "and district of Makawao," so that the same shall read as follows:

"Section 857. Franchise. H. P. Baldwin, R. A. Wadsworth, J. N. S. Williams, D. C. Lindsay, C. D. Lufkin, James L. Coke and W. T. Robinson, together with their associates, hereafter called 'The Company,' and their respective successors and assigns, are vested with the right, authority and privileges, from and after February 6, 1909, to manufacture, sell, furnish and supply electric light, electric current, or electric power, in the district of Wailuku and district of Makawao, on the island of Maui, Territory of Hawaii, for lighting the streets, roads, public or private buildings, or for motive power, or for any other purpose which they may deem advisable, and from time to time, for the purposes above mentioned, and subject to the approval and supervision of the boards or officials having charge of said streets or roads, to construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp posts, conductors, conduits, and such other appliances and appurtenances as may from time to time be necessary for the transmission, distribution or supply of electricity to consumers thereof, under, along, upon, and over the streets, sidewalks, roads, squares, bridges, alleys and lanes in said district of Wailuku and district of Makawao, on the island of Maui, and to connect the said lines, wires, and conductors with any manufactory, private or public buildings, lamps, lamp posts, or other structure or object with the place of supply."

SECTION 2. Section 859 of said Chapter 59 of the Revised Laws of Hawaii, 1915, as approved by an Act of Congress approved February 6, 1909, is hereby amended by striking out the word "district" in said Section 859 and substituting therefor the word "districts," so that the same shall read as follows:

Act 218. Franchise, Island Electric Co., Ltd.

“Section 859. Poles, etc., not to interfere with use of streets, etc. All poles, lines, wires, cables, lamps, lamp posts, conductors, conduits, and other appliances constructed, maintained or operated under, along, upon and over the streets, sidewalks, roads, squares, bridges, alleys and lanes in said districts, on the island of Maui, shall be so constructed, maintained and operated by the company as to not unnecessarily interfere with the use of such streets, sidewalks, roads, squares, bridges, alleys and lanes by the public.”

SECTION 3. Said Chapter 59 of the Revised Laws of Hawaii, 1915, as approved by an Act of Congress, approved February 6, 1909, is hereby further amended by adding a new section thereto to be known as Section 865A Revised Laws of Hawaii, 1915, and reading as follows:

“Section 865A. This franchise and the person or corporation holding the same shall be subject as to reasonableness of rates, prices and charges and in all other respects to the provisions of Chapter 128 of the Revised Laws of Hawaii, 1915, creating a public utilities commission and all amendments thereof for the regulation of the public utilities in said Territory, and all the powers and duties expressly conferred upon or required of the superintendent of public works or the courts by said Act creating said franchise, are hereby conferred upon and required of said public utilities commission and any commission of similar character that may hereafter be created by the laws of said Territory.”

SECTION 4. This Act shall take effect upon its approval by the Congress of the United States provided that such approval be given on or before the 4th day of March, 1917.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 219**AN ACT** ✓ ✓

TO AMEND SECTION 1654 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO THE POWERS OF THE SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU, BY ADDING A NEW PARAGRAPH THERETO TO BE KNOWN AS PARAGRAPH 11-B.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1654 of the Revised Laws of Hawaii of 1915 is hereby amended by adding thereto a new paragraph to be known as paragraph 11-B, and reading as follows:

“11-B. To enter into contracts with any and all firms, corporations or individuals owning or controlling artesian wells, artesian water supply, or other water within the City and County of Honolulu, for the delivery of all or a portion of such waters, at a fair rate of compensation, into the water pipe mains of said city and county; provided, however, that no such contract shall be made for a longer term than thirty years from the date of its execution.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 220. Actions by Poor Claimants.

ACT 220 ✓

AN ACT

RELATING TO ACTIONS BROUGHT IN THE DISTRICT COURT BY
POOR CLAIMANTS IN WHICH THE AMOUNT CLAIMED IS
LESS THAN TWENTY-FIVE DOLLARS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Whenever, in any district court, in any action when the amount claimed is less than twenty-five dollars (\$25.00), the plaintiff, prior to the bringing of such action, shall take oath before the magistrate or clerk of such court that he is unable to pay the costs and fees scheduled in Section 2539 of the Revised Laws of Hawaii, 1915, and the fees of an attorney, he shall be allowed to bring such action without the payment of any costs, beyond the necessary deposit for witnesses fees, if any witnesses are subpoenaed, but upon the termination of such action, if a trial be had upon the merits, the costs and fees allowed by Section 2539 of said Revised Laws, and witness fees, if any, but not attorneys fees, may, in the discretion of the court, be taxed against the losing party.

SECTION 2. Upon the making of the oath mentioned in Section 1 of this Act, it shall be the duty of the magistrate or his clerk to draw up a complaint for plaintiff, if he so desires, setting forth plaintiffs cause of action in the ordinary form. Pleadings shall be simple and shall be, wherever possible, so construed as not to defeat the action on technical grounds.

SECTION 3. Whenever any action is brought under this Act, plaintiff shall not be represented by an attorney, unless both the said plaintiff and attorney shall, under oath, at the time of hearing, satisfy the district magistrate that the services of the said attorney are without compensation, either by way of direct fee, contingent fee, or otherwise.

Act 220. Actions by Poor Claimants.
Act 221. Workmen's Compensation Act.

SECTION 4. False swearing under Sections 1 and 3 of this Act shall constitute perjury and may be punishable as such.

SECTION 5. The benefits of this Act shall not apply to any action where any property is seized under an attachment.

SECTION 6. This Act shall take effect upon its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

See 23 Ha. 193 ACT 221 See 25 Ha. 777
 See 23 Ha. 521
 See 24 Ha. 378 AN ACT See Act 245/1923
 See 24 Ha. 732 433
 RELATING TO COMPENSATION TO EMPLOYEES FOR PERSONAL
 INJURIES SUSTAINED IN THE COURSE OF THEIR EMPLOY-
 MENT. AND ACT 249 S. L. 1923

Be it Enacted by the Legislature of the Territory of Hawaii:

I.

RIGHTS AND REMEDIES GRANTED AND
AFFECTED.

EMPLOYMENTS COVERED.

SECTION 1. This Act shall apply to any and all industrial employment, as hereinafter defined. If a workman receives personal injury by accident arising out of and in the course of such employment, his employer or the insurance carrier shall pay compensation in the amounts and to the person or persons hereinafter specified.

TERRITORIAL AND MUNICIPAL BODIES.

SECTION 2. This Act shall apply to employees (other than officials as hereinafter defined) of the Territory, and all

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counties, and all other political subdivisions within the Territory now existing or which may hereafter be created.

INJURIES NOT COVERED.

SECTION 3. No compensation shall be allowed for an injury caused (1) by the employee's wilful intention to injure himself or to injure another, or (2) by his intoxication. If the employer claims an exemption or forfeiture under this section the burden of proof shall be upon him.

RIGHT TO COMPENSATION EXCLUSIVE.

SECTION 4. The rights and remedies herein granted to an employee on account of a personal injury for which he is entitled to compensation under this Act shall exclude all other rights and remedies of such employee, his personal representatives, dependents, or next of kin, at common law or otherwise, on account of such injury.

Employers, who hire workmen within this Territory to work outside of the Territory, may agree with such workmen that the remedies under this Act shall be exclusive as regards injuries received outside this Territory by accident arising out of and in the course of such employment; and all contracts of hiring in this Territory shall be presumed to include such an agreement.

LIABILITY OF THIRD PERSONS.

SECTION 5. When any injury for which compensation is payable under this Act shall have been sustained under circumstances creating in some other person than the employer a legal liability to pay damages in respect thereto, the injured employee may, at his option, either claim compensation under this Act or obtain damages from or proceed at law against such other person to recover damages; and if compensation is claimed and awarded under this Act any employer having paid the compensation or having become liable therefor shall be sub-

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rogated to the rights of the injured employee to recover against that person, provided, if the employer shall recover from such other person damages in excess of the compensation already paid or awarded to be paid under this Act, then any such excess shall be paid to the injured employee less the employer's expenses and costs of action.

CONTRACTING OUT FORBIDDEN.

SECTION 6. No contract, rule, regulation, or device whatsoever shall operate to relieve the employer in whole or in part from any liability created by this Act.

II.

COMPENSATION.

DEATH BENEFITS.

SECTION 7. If death results from the injury within six months, the employer or the insurance carrier shall pay to the persons entitled to compensation or, if there be none, then to the personal representative of the deceased employee, burial expenses not to exceed one hundred dollars (\$100.00); and shall also pay to or for the following persons for the following periods a weekly compensation equal to the following percentages of the deceased employee's average weekly wages as defined in Section 15;

(a) To the dependent widow or widower, if there be no dependent children, forty per cent.

(b) To the dependent widow or widower, if there be one or two dependent children, fifty per cent., or if there be three or more dependent children, sixty per cent. Such compensation to the widow or widower shall be for the use and benefit of such widow or widower and of the dependent children, and the industrial accident board may from time to time apportion such compensation between them in such way as it deems best.

(c) If there be no dependent widow or widower, but a dependent child or children, then to such child or children thirty

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per cent., with ten per cent. additional for each child in excess of two, with a maximum of fifty per cent., to be divided equally among such children if more than one.

(d) If there be neither dependent widow, widower, nor child, but there be a dependent father or mother, then to such parent, if wholly dependent forty per cent., or if partially dependent twenty-five per cent., or if both parents be dependent then one-half of the foregoing compensation to each of them; or, if there be no such parents, but a dependent grandparent, then to every such grandparent the same compensation as to a parent.

(e) If there be neither dependent widow, widower, child, parent, or grandparent, but there be a dependent grandchild, brother, or sister, or two or more of them, then to such dependents twenty-five per cent. for one such dependent and five per cent. additional for each additional such dependent, with a maximum of forty per cent., to be divided equally among such dependents if more than one.

DEPENDENTS.

SECTION 8. The following persons, and they only, shall be deemed dependents and entitled to compensation under the provisions of this Act;

A child if under sixteen years of age, or incapable of self-support and unmarried, whether ever actually dependent upon the deceased or not;

The widow only if living with the deceased, or actually dependent, wholly or partially, upon him;

The widower only if incapable of self-support and actually dependent, wholly or partially, upon the deceased at the time of her injury;

A parent or grandparent only if actually dependent, wholly or partially, upon the deceased;

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A grandchild, brother, or sister only if under sixteen years of age, or incapable of self-support, and wholly dependent upon the deceased. The relation of dependency must exist at the time of the injury.

An alien shall not be considered a dependent within the meaning of this Act unless actually residing within the United States, and any alien dependent leaving the United States shall thereupon lose all right to any benefits under this Act.

PERIODS OF COMPENSATION.

SECTION 9. The compensation herein provided for shall be payable during the following periods:

To a widow, until death or remarriage, but in no case to exceed three hundred and twelve weeks;

To a widower, during disability or until remarriage, but in no case to exceed three hundred and twelve weeks;

To or for a child, until sixteen years of age, but in the case of a child incapable of self-support and unmarried as long as so incapable, but in no case to exceed one hundred and four weeks beyond said age of sixteen years;

To a parent or grandparent, during the continuation of a condition of actual dependency, but in no case to exceed three hundred and twelve weeks;

To or for a grandchild, brother, or sister, during dependency as hereinbefore defined, but in no case to exceed three hundred and twelve weeks.

Upon the cessation of compensation under this section to or on account of any person, the compensation of the remaining persons entitled to compensation for the unexpired part of the period during which their compensation is payable shall be that which such persons would have received if they had been the only persons entitled to compensation at the time of the decedent's death.

Act 221. Workmen's Compensation Act.**CERTAIN WORDS DEFINED.**

SECTION 10. As used in this section the term "child" includes step-children, adopted children, posthumous children, and illegitimate children, acknowledged previous to the injury, but does not include married children unless dependent. The terms "brother" and "sister" include step-brothers and step-sisters, half-brothers and half-sisters, and brothers and sisters by adoption, but do not include married brothers nor married sisters unless dependent. The term "grandchild" includes children of adopted children and children of step-children, but does not include step-children of children, step-children of step-children, step-children of adopted children, nor married grandchildren unless dependent. The term "parent" includes step-parents and parents by adoption. The term "grandparent" includes parents of parents by adoption, but does not include parents of step-parents, step-parents of parents, nor step-parents of step-parents.

SUNDRY PROVISIONS AS TO DEATH BENEFITS.

SECTION 11. In computing death benefits the average weekly wages of the deceased employee shall be considered not to be more than thirty-six dollars (\$36.00), nor less than five dollars (\$5.00); but the total weekly compensation shall not exceed in any case the average weekly wages computed as provided in Section 15, nor shall the amount of compensation paid in any case exceed in the aggregate the sum of five thousand dollars (\$5,000.00).

Payment of death benefits by an employer in good faith to a dependent subsequent in right to another or other dependent shall protect and discharge the employer unless and until such dependent or dependents prior in right shall have given him notice of his or their claim. In case the employer is in doubt as to the respective rights of rival claimants he may apply to the industrial accident board to decide between them.

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In case death occurs after a period of disability, either total or partial, the period of disability shall be deducted from the total periods of compensation respectively stated in Section 9.

The compensation of a person who is insane shall be paid to his or her guardian.

MEDICAL ATTENDANCE.

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SECTION 12. During the first fourteen days of disability the employer shall furnish reasonable surgical, medical and hospital services and supplies not exceeding the amount of fifty dollars (\$50.00). The pecuniary liability of the employer for the medical, surgical and hospital service herein required shall be limited to such charges as prevail in the same community for similar treatment of injured persons of a like standard of living when such treatment is paid for by the injured person.

TOTAL DISABILITY.

AND ACT 249 S. L. 1923

SECTION 13. Where the injury causes total disability for work the employer during such disability, but not including the first fourteen days thereof, shall pay the injured employee a weekly compensation equal to sixty per cent. of his average weekly wages, but not more than eighteen dollars (\$18.00) nor less than three dollars (\$3.00) a week. In no case shall the weekly payments continue after the disability ends, nor longer than three hundred and twelve weeks, nor shall the amount of compensation paid in any case exceed in the aggregate the sum of five thousand dollars (\$5,000.00).

In case of an employee whose average weekly wages are less than three dollars (\$3.00) a week the weekly compensation shall be the full amount of such average weekly wages, but where the disability is permanent the weekly compensation in such cases shall be three dollars (\$3.00). In case the total disability begins after a period of partial disability, the period of partial disability shall be deducted from such total period of three hundred and twelve weeks.

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In the case of the following injuries the disability caused thereby shall be deemed total and permanent, to wit:

- (1) The total and permanent loss of sight in both eyes;
- (2) The loss of both feet at or above the ankle;
- (3) The loss of both hands at or above the wrist;
- (4) The loss of one hand and one foot;
- (5) An injury to the spine resulting in permanent and complete paralysis of both legs or both arms or of one leg or of one arm;
- (6) An injury to the skull resulting in incurable imbecility or insanity.

The above enumeration is not to be taken as exclusive.

PARTIAL DISABILITY.

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SECTION 14. Where the injury causes partial disability for work, the employer, during such disability and for a period of three hundred and twelve weeks beginning on the 15th day of disability, shall pay the injured workman a weekly compensation equal to fifty per cent. of the difference between his average weekly wages before the accident and the weekly wages he is most probably able to earn thereafter, but not more than twelve dollars (\$12.00) a week. In no case shall the weekly payments continue after the disability ends, and in case the partial disability begins after a period of total disability the period of total disability shall be deducted from such total period of three hundred and twelve weeks, nor shall the amount of compensation paid in any case exceed in the aggregate the sum of five thousand dollars (\$5,000.00).

In case of the following injuries the compensation shall be fifty per cent. of the average weekly wages, but not more than twelve dollars (\$12.00) to be paid weekly for the period stated against such injuries respectively, to wit:

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- (1) The loss by separation of one arm at or above the elbow joint, or the permanent and complete loss of the use of one arm, three hundred and twelve weeks;
- (2) The permanent and complete loss of hearing in both ears, three hundred and twelve weeks;
- (3) The loss by separation of one leg at or above the knee joint, or the permanent and complete loss of the use of one leg, two hundred and eighty-six weeks;
- (4) The loss by separation of one hand at or above the wrist joint, or the permanent and complete loss of the use of one hand, two hundred and forty-eight weeks;
- (5) The loss by separation of one foot at or above the ankle joint, or the permanent and complete loss of the use of one foot, two hundred and eight weeks.

COMPUTATION OF WAGES.

SECTION 15. Average weekly wages shall be computed in such a manner as is best calculated to give the average weekly earnings of the workman during the twelve months preceding his injury; provided, that where, by reason of the shortness of the time during which the workman has been in the employment, or the casual nature of the employment, or the terms of the employment, it is impracticable to compute the rate of remuneration, regard may be had to the average weekly earnings, which, during the twelve months previous to the injury, were being earned by a person in the same grade employed at the same work by the employer of the injured workman, or if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district.

If a workman at the time of the injury is regularly employed in a higher grade of work than formerly during the year and with larger regular wages, only such larger wages shall be taken into consideration in computing his average weekly wages.

Act 221. Workmen's Compensation Act.**VOLUNTARY PAYMENTS.**

SECTION 16. Any payments made by the employer or his insurer to the injured workman during the period of his disability, or to his dependents, which, by the terms of this Act, were not due and payable when made, may, subject to the approval of the board, be deducted from the amount to be paid as compensation; provided, that in case of disability such deduction shall be made by shortening the period during which compensation must be paid, and not by reducing the amount of the weekly payments under Sections 13 and 14.

PERIODICAL PAYMENTS.

SECTION 17. The board, upon the application of either party, may, in its discretion, having regard to the welfare of the employee and the convenience of the employer, authorize compensation to be paid monthly or quarterly instead of weekly.

COMMUTATION OF PAYMENTS.

SECTION 18. Whenever the board determines that it is for the best interest of all parties, the liability of the employer for compensation may, on application to the board by any party interested, be discharged in whole or in part by the payment of one or more lump sums to be fixed by the board.

TRUSTEE IN CASE OF LUMP SUM PAYMENTS.

SECTION 19. Whenever for any reason the board deems it expedient, any lump sum which is to be paid as provided in Section 18 shall be paid by the employer to some suitable person or corporation appointed by the circuit court in the jurisdiction of which the injury occurred as trustee to administer or apply the same for the benefit of the person or persons entitled thereto in the manner provided by the board. The receipt of such trustee for the amount so paid shall discharge the employer or any one else who is liable therefor.

III.

PROCEDURE IN OBTAINING COMPENSATION.

MEDICAL EXAMINATION.

SECTION 20. After an injury and during the period of disability, the workman, whenever ordered by the board, shall submit himself to examination, at reasonable times and places, to a duly qualified physician or surgeon designated and paid by the employer. The workman shall have the right to have a physician or surgeon designated and paid by himself present at such examination, which right, however, shall not be construed to deny to the employer's physician the right to visit the injured workman at all reasonable times and under all reasonable conditions during total disability. If a workman refuses to submit himself to or in any way obstructs such examination, his right to take or prosecute any proceeding under this Act shall be suspended until such refusal or obstruction ceases, and no compensation shall be payable for the period during which such refusal or obstruction continues.

NOTICE OF INJURY AND CLAIM FOR COMPENSATION.

SECTION 21. No proceedings under this Act for compensation for an injury shall be maintained unless a notice of the injury shall have been given to the employer as soon as practicable after the happening thereof, and unless a claim for compensation with respect to such injury shall have been made within three months after the date of the injury; or, in case of death, then within three months after such death, whether or not a claim had been made by the employee himself for compensation. Such notice and such claim may be given or made by any person claiming to be entitled to compensation or by some one on his behalf. If payments of compensation have been made voluntarily the making of a claim within said period shall not be required.

Act 221. Workmen's Compensation Act.**FORM OF NOTICE AND CLAIM.**

SECTION 22. Such notice and such claim shall be made in writing, and such notice shall contain the name and address of the employee, and shall state in ordinary language the time, place, nature, and cause of the injury, and shall be signed by him or by a person on his behalf, or, in the event of his death, by any one or more of his dependents or by a person on their behalf. The notice may include the claim.

GIVING OF NOTICE AND MAKING OF CLAIM.

SECTION 23. Any notice under this Act shall be given to the employer, or if the employer be a partnership, then to any one of the partners. If the employer be a corporation, then the notice may be given to any agent of the corporation upon whom process may be served, or to any officer of the corporation, or any agent in charge of the business at the place where the injury occurred. Such notice shall be given by delivering it or by sending it by mail by registered letter addressed to the employer at his or its last known residence or place of business. The foregoing provisions shall apply to the making of a claim.

SUFFICIENCY OF NOTICE.

SECTION 24. A notice given under the provisions of Section 21 of this Act shall not be held invalid or insufficient by reason of any inaccuracy in stating the time, place, nature, or cause of the injury, or otherwise, unless it is shown that the employer was in fact misled to his injury thereby. Want of notice or delay in giving notice shall not be a bar to proceedings under this Act if it be shown that the employer, his agent or representative, had knowledge of the accident or that the employer has not been prejudiced by such delay or want of notice.

LIMITATION OF TIME AS REGARDS MINORS AND INSANE.

SECTION 25. No limitation of time provided in this Act shall run as against any person who is mentally incompetent or a minor dependent so long as he has no guardian, or next friend.

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IV.

INDUSTRIAL ACCIDENT BOARD.

CREATION OF BOARD.

SECTION 26. There shall be a board created, to be known as the Industrial Accident Board, in each county, consisting of five members to be appointed by the governor, as provided by Section 80 of the Organic Act. Each board shall elect its own chairman. Members of the boards shall hold office for five years except that when the boards are first constituted one member for each board shall be appointed for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter one member shall be appointed to each board every year for the full term of five years. Outgoing members shall be eligible for reappointment.

It shall be the duty of the county or city and county attorney, as the case may be, to act as attorney for the board in all matters coming before the board whenever requested to so act.

JURISDICTION.

SECTION 27. Each board shall have jurisdiction over the injuries occurring within the county for which it is appointed, or occurring to employees of residents of the county while such employees are without the Territory, or on vessels operated by residents of such county; provided, that if the principal business or occupation of the employer concerned or of the owner of the vessel is carried on in another county, the board of such other county shall have such jurisdiction.

SALARIES AND EXPENSES.

SECTION 28. The members of such boards shall serve without remuneration, except that they may be allowed their reasonable travelling and other expenses while proceeding to, attending, and returning from attendance of meetings of the board, or reasonably incurred in the discharge of their duties,

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which board may employ such assistance and clerical help as it may deem necessary, and fix the compensation of all persons so employed. All such salaries and expenses shall be paid out of such funds as shall be appropriated by the Legislature for the use of such boards.

RULES OF BOARD, WITNESSES, BLANKS.

SECTION 29. Each board may make rules not inconsistent with this Act for carrying out the provisions of this Act. Process and procedure under this Act shall be as summary and simple as reasonably may be. The board, or any member thereof, shall have the power to subpoena witnesses, administer oaths, and to examine such of the books and records of the parties to a proceeding as relate to the questions in dispute. The circuit court shall have power to enforce by proper proceedings the attendance and testimony of witnesses, and the production and examination of books, papers, and records. The board shall cause to be printed and furnished free of charge to any employer or employee such blank forms as it shall deem requisite to facilitate or promote the efficient administration of this Act. Such blanks shall also be furnished by the board to the clerk of the circuit court who shall furnish the same to any employer or employee free of charge, but subject, however, to any rules and regulations the board shall make relating thereto.

AGREEMENTS.

SECTION 30. If the employer and the injured employee reach an agreement in regard to compensation under this Act, a memorandum of the agreement shall be filed with the board and, if approved by it, thereupon the memorandum shall for all purposes be enforceable under the provisions of Section 39, unless modified as provided in Section 37.

Such agreements shall be approved by the board only when the terms conform to the provisions of this Act.

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COMMITTEE OF ARBITRATION.

SECTION 31. If the compensation is not settled by agreement, either party may make an application to the board for the formation of a committee of arbitration. Such committee shall consist of three members, one of whom shall be a member of the industrial accident board, or appointed by it, who shall act as chairman. The other two members shall be named, respectively, by the parties. If a vacancy occurs it shall be filled in the same way as the original appointment.

FORMATION OF COMMITTEE.

SECTION 32. Immediately after such application the board shall designate one of its members, or a substitute, to act as chairman of the committee of arbitration, and shall request the parties to appoint their respective representatives. If within seven days after such request, or after a vacancy has occurred, either party does not appoint his representative the board shall fill the vacancy and notify the parties to that effect.

HEARINGS AND AWARDS.

SECTION 33. The committee on arbitration shall make such inquiries and investigations as it shall deem necessary. The hearings of the committee, unless otherwise agreed, shall be held in the city or town where the injury occurred if within this Territory, and the award of the committee, together with a statement of its findings of fact, rulings of law, and any other matters pertinent to the question arising before it, shall be filed with the industrial accident board of the respective county. A copy of the award shall be immediately sent to the parties. Unless a claim for a review is filed by either party within ten days after the sending of the award, it shall be enforceable under the provisions of Section 39.

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EXAMINATION BY PHYSICIAN.

SECTION 34. Each industrial accident board, or any member thereof, may appoint a duly qualified impartial physician to examine the injured employee and to report. The fee for this service shall be three dollars (\$3.00) and travelling expenses, but the board may allow additional reasonable amounts in extraordinary cases.

EXPENSES OF ARBITRATION AND PHYSICIANS.

SECTION 35. The fees and expenses of arbitrators under Section 33 and of physicians under Section 34 shall be paid from the funds appropriated by the Legislature for the use of the respective boards.

REVIEW OF AWARD.

SECTION 36. If an application for review is made to any board, or if the committee fails to make an award within thirty days after its formation, the board shall allow a full trial and shall make an award which shall be filed with the record of proceedings and shall state its conclusions of fact and rulings of law, and shall immediately send to the parties a copy of the award.

MODIFICATION OF AWARDS AND AGREEMENTS.

SECTION 37. On the application of any party on the ground of a change of conditions, the board may at any time, but not oftener than once in six months, review any agreement or award, and on such review may make an award ending, diminishing, or increasing the compensation previously agreed upon or awarded subject to the maximum and minimum provided in this Act, and shall state its conclusions of fact and rulings of law, and immediately send to the parties a copy of the award, but this section shall not apply to a commutation of payments under Section 18.

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APPEALS FROM BOARD.

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SECTION 38. An award of the board, in the absence of fraud shall be final and conclusive between the parties except as provided in Section 37, unless within ten days after a copy has been sent to the parties either party appeals to the circuit court of the circuit in which said board is located. In the County of Hawaii the circuit court shall be that of the fourth circuit. In case of every such appeal the right of a trial by jury shall be deemed to be waived unless claimed within ten days from the date such appeal is entered. Said court may by proper rules prescribe the procedure to be followed in the case of such appeals.

The board may certify questions of law to the supreme court of the Territory for its determination.

ENFORCEMENT OF AWARD.

SECTION 39. Any party in interest may file in the circuit court in the jurisdiction of which the injury occurred a certified copy of a decision of the board awarding compensation, from which no appeal has been taken within the time allowed therefor or a certified copy of a decision of an arbitration committee awarding compensation from which no claim for review has been filed within the time allowed therefor, or a certified copy of a memorandum of agreement approved by the board, whereupon said court shall render a decree or judgment in accordance therewith and notify the parties thereof. Such decree or judgment shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though said decree or judgment had been rendered in a suit duly heard and determined by said court, except that there shall be no appeal therefrom.

COSTS.

SECTION 40. If the committee of arbitration, industrial accident board, or any court before whom any proceedings are

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brought under this Act, determines that such proceedings have been brought, prosecuted, or defended without reasonable ground it may assess the whole cost of the proceedings upon the party who has so brought, prosecuted, or defended them.

GENERAL POWERS OF BOARD.

SECTION 41. All questions arising under this Act, if not settled by agreement of the parties interested therein with the approval of the board, shall, except as otherwise herein provided, be determined by the board. The decisions of the board shall be enforceable by the circuit court under the provisions of Section 39. There shall be a right of appeal from decisions of the board to the circuit court as provided in Section 38, but in no case shall such an appeal, either under this section or under Section 38, operate as a supersedeas or stay unless the board or the circuit court shall so order.

REVISION DECREES.

SECTION 42. The circuit court, upon the filing with it of a certified copy of a decision of the industrial accident board ending, diminishing, or increasing compensation previously awarded, shall revoke or modify its prior decree or judgment so that it will conform to said decision.

INJURIES OUTSIDE THE TERRITORY.

SECTION 43. If a workman who has been hired in this Territory receives personal injury by accident arising out of and in the course of such employment, he shall be entitled to compensation according to the law of this Territory even though such injury was received outside this Territory.

If a workman who has been hired outside of this Territory is injured while engaged in his employer's business, and is entitled to compensation for such injury under the law of the state or territory where he was hired, he shall be entitled to enforce against his employer his rights in this Territory if his

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rights are such that they can reasonably be determined and dealt with by the board and the court in this Territory.

V.**PREFERENCES AND ASSIGNMENTS.****PREFERENCES.**

SECTION 44. All rights of compensation granted by this Act shall have the same preference or priority for the whole thereof against the assets of the employer as is allowed by law for any unpaid wages for labor.

ASSIGNMENTS. ATTORNEYS' FEES.

SECTION 45. No claims for compensation under this Act shall be assignable, and all compensation and claims therefor shall be exempt from all claims of creditors. Claims of attorneys and of physicians for services under this Act shall be subject to the approval of the board.

VI.**SECURITY FOR COMPENSATION.****SECURITY FOR PAYMENT OF COMPENSATION.**

SECTION 46. Employers, but not including the territorial or the municipal bodies mentioned in Section 2, shall secure compensation to their employees in one of the following ways:

(1) By insuring and keeping insured the payment of such compensation with any stock corporation or mutual association authorized to transact the business of workmen's compensation insurance in this Territory, or

(2) By obtaining and keeping in force guarantee insurance with any company authorized to do such guarantee business within the Territory, or

(3) By depositing and maintaining with the territorial treasurer security satisfactory to the board securing the pay-

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ment by said employer of compensation according to the terms of this Act.

(4) Upon furnishing satisfactory proof to the board of his solvency and financial ability to pay the compensation and benefits herein provided, no insurance or security shall be required, and the employer shall make such payments directly to his employees, as they may become entitled to receive the same under the terms and conditions of this Act.

Any person who wilfully misrepresents any fact in order to obtain the benefits of this section shall be guilty of a misdemeanor.

Any decision of the board rendered under the provisions of subdivisions 3 and 4 of this section with respect to the amount of security required or refusing to permit no security to be given shall be subject to review on appeal by the circuit court in like manner as appeals are permitted under Section 38 of this Act.

NOTICE OF INSURANCE.

SECTION 47. If the insurance so effected is not under subdivisions 3 or 4 of Section 46 the employer shall forthwith file with the territorial treasurer and with the board in form prescribed by the board a notice of his insurance, together with a copy of the contract or policy of insurance.

EFFECT OF FAILURE TO SECURE COMPENSATION.

SECTION 48. If an employer fails to comply with the provisions of Section 46 he shall be liable to a penalty for every day during which such failure continues, of one dollar (\$1.00) for every employee, to be recovered in an action brought by the chairman of the board in the name of the Territory, and the amounts so collected shall be paid into the territorial treasury and be a special fund for the use of the board. It shall be the duty of the county attorney of each county to prosecute such suits, if so requested by the board.

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The board may, however, in its discretion, for good cause shown, remit any such penalty in whole or in part, provided the employer in default forthwith secures compensation as provided in Section 46.

Furthermore, if any employer shall be in default under Section 46, for a period of thirty days, he may be enjoined by the circuit court from carrying on his business while such default continues.

THE INSURANCE CONTRACT.

SECTION 49. Every policy of insurance and every guarantee contract covering the liability of the employer for compensation, whether issued by a stock company, or by a mutual association authorized to transact workmen's compensation or guarantee insurance in this Territory shall cover the entire liability of the employer to his employees covered by the policy or contract, and also shall contain a provision setting forth the right of the employees to enforce in their own names either by at any time filing a separate claim or by at any time making the insurance carrier a party to the original claim, the liability of the insurance carrier in whole or in part for the payment of such compensation; provided however that payment in whole or in part of such compensation by either the employer or the insurance carrier shall, to the extent thereof, be a bar to the recovery against the other of the amount so paid.

KNOWLEDGE OF EMPLOYER TO AFFECT INSURANCE CARRIER.

SECTION 50. Every such policy and contract shall contain a provision that, as between the employee and the insurance carrier, the notice to or knowledge of the occurrence of the injury on the part of the employer shall be deemed notice or knowledge, as the case may be, on the part of the insurance carrier; that jurisdiction of the employer shall, for the purpose of this Act, be jurisdiction of the insurance carrier, and that

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the insurance carrier shall in all things be bound by and subject to the orders, findings, decisions, or awards rendered against the employer for the payment of compensation under the provisions of this Act.

**INSOLVENCY OF EMPLOYER NOT TO RELEASE INSURANCE
CARRIER.**

SECTION 51. Every such policy and contract shall contain a provision to the effect that the insolvency or bankruptcy of the employer and his discharge therein shall not relieve the insurance carrier from the payment of compensation for injuries or death sustained by an employee during the life of such policy or contract.

CANCELLATION OF INSURANCE CONTRACTS.

Act 249 S. L. 1923 SECTION 52. No policy or contract of insurance or guaranty issued by a stock company or mutual association against liability arising under this Act shall be cancelled within the time limited in such contract for its expiration until at least ten days after notice of intention to cancel such contract, on a date specified in such notice, shall have been filed in the office of the territorial treasurer and also served on the board and the employer.

INSURANCE BY THE TERRITORY, COUNTIES AND MUNICIPALITIES.

SECTION 53. The Territory, and each county, and any other political subdivision of the Territory, which is liable to its employees for compensation may insure with any authorized insurance carrier.

EMPLOYEES NOT TO PAY FOR INSURANCE.

SECTION 54. No agreement by an employee to pay any portion of the premium paid by his employer to contribute to a benefit fund or department maintained by such employer, or to

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the cost of mutual or other insurance maintained for or carried for the purpose of securing compensation as herein required shall be valid; and any employer who makes a deduction for such purpose from the wages or salary of any employee entitled to the benefits of this Act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not to exceed two hundred and fifty dollars (\$250.00).

INSPECTIONS.

SECTION 55. The board shall have the right to inspect the plants and establishments of all employers in the Territory and the inspectors designated by the board shall have free access to such premises during regular working hours, and at other reasonable times.

VII.

REPORTS, DEFINITIONS, AND GENERAL PROVISIONS.

REPORT OF ACCIDENTS BY EMPLOYERS.

SECTION 56. Every employer shall hereafter keep a record of all injuries, fatal or otherwise, received by his employees in the course of their employment, when known to him or brought to his attention. As soon as practicable after the occurrence of an injury causing absence from work for one day or more, a report thereof shall be made in writing by the employer to the board on blanks to be procured from the board for the purpose.

Upon the termination of the disability of the injured employee, the employer shall make a supplemental report upon blanks to be procured from the board for that purpose. If the disability extends beyond a period of sixty days, the employer shall report to the board at the end of such period that the injured employee is still disabled, and upon the termination of the disability shall file a final supplemental report as provided above.

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The said reports shall contain the name and nature of the business of the employer, the situation of the establishment, the name, age, sex, wages, and occupation of the injured employee, and shall state the date and hour of the accident causing the injury, the nature and cause of the injury, and such other information as may be required by the board.

Any employer who refuses or neglects to make the report required by this section shall be punished by a fine of not more than twenty-five dollars (\$25.00) for each offense.

Within sixty days after the termination of the disability of the injured employee, the employer or other party liable to pay the compensation provided for by this Act shall file with the board a statement showing the total payments made or to be made for compensation and for medical services for such injured employee.

INTERSTATE COMMERCE.

SECTION 57. This Act shall affect the liability of employers to employees engaged in interstate or foreign commerce or otherwise only so far as the same is permissible under the laws of the United States.

REPORTS OF INDUSTRIAL ACCIDENT BOARDS.

SECTION 58. Annually on or before the first day of February, the board of each county shall make a report to the governor which shall be transmitted to the legislature and which shall include a properly classified statement of the expenses of the board together with any other matters which the board deems proper to report, including any recommendations it may desire to make.

SECTION 59. Whenever under this Act any award, order, rule, regulation or decision is required or authorized to be made by the board or by a committee of arbitration the action of a majority of the members of such board or committee shall be

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considered as the action of such board or committee, respectively, as the case may be.

DEFINITIONS.

SECTION 60. In this Act, unless the context otherwise requires:

(a) "Employer" unless otherwise stated, includes any body of persons, corporate or unincorporated, public or private, and the legal representative of a deceased employer. It includes the owner or lessee of premises, or other person who is virtually the proprietor or operator of the business there carried on, but who, by reason of there being an independent contractor, or for any other reason, is not the direct employer of the workmen there employed. If the employer is insured it includes his insurer as far as applicable.

(b) "Workman" is used as synonymous with "employee," and means any person who has entered into the employment of, or works under contract of service or apprenticeship with, an employer. It does not include a person whose employment is purely casual or not for the purpose of the employer's trade or business, or whose remuneration from any one employer, excluding pay for over-time, exceeds thirty-six dollars (\$36.00) a week. Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his dependents as herein defined, if the context so requires, or, where the employee is a minor or incompetent, to his guardian or next friend.

(c) "Injury" or "personal injury" includes death resulting from injury within two years.

(d) The words "personal injury by accident arising out of and in the course of such employment" shall include an injury caused by the wilful act of a third person directed against an employee because of his employment.

They shall not include a disease except as it shall result from injury.

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(e) "Employment," in the case of private employers, includes employment only in a trade or occupation which is carried on by the employer for the sake of pecuniary gain.

Public employment means employment by the Territory, or by a county, or by any political subdivision of the Territory now existing or which may hereafter be created.

It does not include the employment of public officials who are elected by popular vote or who receive salaries exceeding eighteen hundred dollars (\$1,800.00) a year.

(f) The word "board" or words "industrial accident board," whenever used in this Act, unless the context shows otherwise, shall be taken to mean the industrial accident board of the respective county.

(g) "Partial disability." Diminished ability to obtain employment owing to disfigurement resulting from an injury may be held to constitute partial disability.

(h) "Wages" shall include the market value of board, lodging, fuel, and other advantages which can be determined in money which the employee receives from the employer as a part of his remuneration.

"Wages" shall not include any sums which the employer has paid to the employee to cover any special expenses entailed on him by the nature of his employment.

(i) "Insurance carrier" shall include stock corporations or mutual associations from any of which employers have obtained workmen's compensation insurance or guaranty insurance in accordance with the provisions of this Act.

(j) The word "county" includes the City and County of Honolulu.

(k) Any term shall include the singular and plural and both sexes where the context so requires.

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UNCONSTITUTIONAL PROVISIONS.

SECTION 61. If any part or section of this Act be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the Act as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

PENALTIES FOR FALSE REPRESENTATIONS.

SECTION 62. If for the purpose of obtaining any benefit or payment under the provisions of this Act, either for himself or for any other person, any one wilfully makes a false statement or representation, he shall be guilty of a misdemeanor and liable to a fine of not exceeding two hundred and fifty dollars (\$250.00).

PRIOR INJURIES.

SECTION 63. The provisions of this Act shall not apply to injuries sustained, or accidents which occur, prior to the taking effect hereof.

RULES OF CONSTRUCTION.

SECTION 64. (a) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this Act.

(b) This Act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

PRIOR STATUTES. REPEAL.

SECTION 65. All Acts and parts of Acts inconsistent with this Act here hereby repealed.

TITLE OF ACT.

SECTION 66. This Act may be cited as the "Workmen's Compensation Act."

Act 221. Workmen's Compensation Act.

Act 222. Hotel Keepers' Rights.

TIME OF TAKING EFFECT.

SECTION 67. This Act shall take effect on the first day of July, 1915.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 222 ✓

AN ACT

FOR THE PROTECTION OF HOTEL KEEPERS, AND LIMITING THEIR LIABILITY, AND REPEALING SECTIONS 2876 AND 2877 OF THE REVISED LAWS OF HAWAII, 1915.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Lien on baggage, etc., of guests; summary ejection of delinquents. All hotel keepers shall have a lien on all baggage and other property in the possession of the hotel belonging to guests at said hotel, for the amount of their proper charges against such guests for the hire of rooms or board or other services or accommodation in said hotel, and shall have the right, without the process of law, to retain the same until the said amount of indebtedness is discharged; and all parties indebted for rooms or board in said hotel may be summarily ejected by the keeper thereof from said premises upon the aforesaid keeper giving to said parties so indebted a written notice of two days of the amount of said indebtedness and his demand for the same, unless said parties shall have entered into an agreement with said keeper for a mode and manner of payment for room or board other than that announced by notice in

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said hotel, such right of summary ejection to be without prejudice to the lien on such guest's baggage or other property.

SECTION 2. Sale of detained baggage; notice; disposition of proceeds. All baggage and property so held by the keeper of said hotel shall, after the expiration of three months from the date of such detention, be sold at public auction, after notice thereof published three times in a newspaper of general circulation in the county or city and county where said hotel shall be kept, and the proceeds thereof shall be applied to the payment of the amount due and the expenses of such notice and sale, and the balance, if any remaining, shall be paid over to the owner of such property or his representatives; and if such balance is not claimed by such owner within sixty days after such sale, then such balance shall be paid over to the treasurer of the Territory of Hawaii and shall be kept by him in a special deposit for not to exceed one year; and if claimed by the owner during such period shall be paid over to him. If no such claim shall be made during said period, such sum shall become a government realization.

SECTION 3. Safe for valuables; limitation of liability for deposited valuables. Whenever the keeper of any hotel shall provide a safe or vault in the office thereof, for the safe-keeping of any money, jewels, bank-notes, precious stones, railroad or steamship tickets, negotiable or valuable papers or ornaments belonging to the guests of, or travelers in, such hotel, and shall post a notice stating the fact that such safe or vault is provided in which such valuables may be deposited, in the room or rooms occupied by such guests or travelers in a conspicuous position, if any guest or traveler shall neglect to deliver such valuables to the person in charge of such safe, the keeper of such hotel shall not be liable in any sum for any loss of such valuables sustained by such guest or traveler by theft or otherwise; and if such guest or traveler shall deliver such valuables to the person

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in charge of said office for deposit in such safe, said keeper shall not be liable for any loss thereof sustained by such guest or traveler, by theft or otherwise, in any sum exceeding the sum of two hundred and fifty dollars (\$250.00), unless by special agreement in writing with such keeper or his duly authorized agent.

SECTION 4. Limitation of liability for personal property. No keeper of any hotel shall be liable in any sum to any guest of, or traveler in, such hotel for the loss of wearing apparel, goods, merchandise or other personal property not mentioned in the preceding section, unless it shall appear that such loss occurred through the fault or negligence of such keeper. Nor shall any such keeper be liable in any event in any sum for the loss of any article or articles of wearing apparel, cane, umbrella, satchel, valise, bag, box, bundle or other chattel belonging to such guest of, or traveler in, any hotel, and not within a room or rooms assigned to him, unless the same shall be specially intrusted to the care and custody of such keeper or his duly authorized agent, and if so specially intrusted with such article or articles of wearing apparel, cane, umbrella, satchel, valise, bag, box, bundle or other chattel belonging to such guest or traveler, the said keeper shall not be liable for the loss of the same in any sum exceeding the sum of fifty dollars (\$50.00).

SECTION 5. Limited responsibility in case of fire, etc. The keeper of any hotel shall only be liable to any guest of, or traveler in, such hotel, for ordinary and reasonable care in the custody of any money, jewels, bank-notes, precious stones, railroad or steamship tickets, negotiable or valuable papers, ornaments, baggage, wearing apparel or other chattels or property belonging to any such guest or traveler, whether specially intrusted to such keeper or his agent, or deposited in the safe of such hotel, for any loss occasioned by fire or by any other cause or force over which such proprietor had no control.

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SECTION 6. Posting copy of Act; damages recoverable by guests. The keeper of every hotel shall post in a conspicuous place in the office or public room and in every bedroom of said hotel a printed copy of this Act and a statement of charge or rate of charges by the day, and for meals or items furnished and for lodging. No charge or sum shall be collected or received by any such keeper for any service not actually rendered, or for any item not actually delivered or contracted for, or for any greater or other sum than he is entitled to by the general rules and regulations of said hotel. For any violation of this or any provision herein contained, the offender shall forfeit to the injured party three times the amount of the sum charged in excess of what he is entitled to.

SECTION 7. The word "keeper" wherever used in this Act shall mean and include any person, firm or corporation actually operating a hotel.

The word "hotel" wherever used in this Act shall mean and apply to any and all buildings or structures used by the keeper thereof for the accommodation of guests therein.

SECTION 8. Sections 2876 and 2877 of the Revised Laws of Hawaii, 1915, are hereby repealed.

SECTION 9. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 223. Fees for Public Shows.

ACT 223

AN ACT

TO AMEND SECTION 2077 OF CHAPTER 121 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO PUBLIC SHOWS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 2077 of the Revised Laws of Hawaii of 1915 is hereby amended to read as follows:

“Section 2077. Fee. The fee for each performance under any such license shall be one dollar, except in the case of moving picture shows and theatrical performances, which may be charged a yearly license of two hundred dollars; said yearly license, however, not to include any moving picture show which may be given by any law or ordinance on Sunday, in which case the fee shall be one dollar for each exhibition; but no fee shall be charged if the treasurer or sheriff is satisfied that the entire proceeds of the performance or any exhibition are to be donated to any school, religious or charitable institution, or for the promotion of art, and not for profit.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 224. Payments by Hawaiian Electric Co., Ltd.

ACT 224

AN ACT ✓✓

TO AMEND SECTION 845 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO ANNUAL PAYMENTS BY THE HAWAIIAN ELECTRIC COMPANY, UNDER ITS FRANCHISE, OF A PER CENTUM OF ITS GROSS ANNUAL RECEIPTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 845 of the Revised Laws of Hawaii of 1915, as amended and approved by an Act of Congress approved April 21, 1904, is hereby amended so as to read as follows:

“Section 845. Annual payments to City and County of Honolulu. The said company shall, within one month after the expiration of each year, file with the superintendent of public works a statement showing the gross receipts from the sale of electric light and power furnished by the company, and shall at the same time pay to the treasurer of the City and County of Honolulu, two and one-half per centum of the gross receipts of the company from all electric light or power furnished to consumers during the year preceding.”

SECTION 2. This Act shall take effect upon its approval by the Congress of the United States, provided that such approval be given on or before the fourth day of March, 1917.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

Act 225. Payments by Honolulu Gas Co., Ltd.

ACT 225

AN ACT ✓✓

TO AMEND SECTION 913 OF THE REVISED LAWS OF HAWAII OF 1915, RELATING TO THE ANNUAL FEE PAID BY THE HONOLULU GAS COMPANY, LIMITED, UNDER ITS FRANCHISE, OF A PER CENTUM OF ITS GROSS ANNUAL RECEIPTS.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 913 of the Revised Laws of Hawaii of 1915, as amended and approved by an Act of Congress approved April 21, 1904, is hereby amended so as to read as follows:

“Section 913. Annual fee to City and County of Honolulu. On the first day of July of each year, there shall be payable to the treasurer of the City and County of Honolulu, for and on behalf of such city and county, two and one-half per centum of the gross receipts of said W. W. Dimond for all gas furnished to consumers under the terms of this chapter.”

SECTION 2. This Act shall take effect upon its approval by the Congress of the United States, provided that such approval be given on or before the fourth day of March, 1917.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

ACT 226

AN ACT ✓✓

TO AMEND SECTION 1248 OF THE REVISED LAWS OF HAWAII, 1915, RELATING TO THE EXEMPTION OF RAILROADS FROM TAXATION.

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1248 of the Revised Laws of Hawaii, 1915, is hereby amended so as to read as follows: AND ACT 19 U.S. L. 1923

“Section 1248. Railroads. For the term of ten years from and after the first day of January, 1908, all of the property both real and personal, of any person, company or corporation actually and solely used in the workings and operations of a railroad which shall have been constructed within five years from January 1, 1908, and which railroad, such person, company or corporation shall carry on exclusively in the business of a common carrier shall be exempt from all property taxes both territorial and county. Provided, such railroad shall be not less than five continuous miles in length and shall be in good running order and condition and approved by the superintendent of public works; and provided, further, that if such railroad so constructed within said five years from January 1, 1908, shall be not less than twenty-five continuous miles in length and shall be in good running order and condition and approved by said superintendent as aforesaid, such exemption thereof from property taxes shall continue for the term of fifteen years from said first day of January, 1908.”

SECTION 2. This Act shall take effect upon its approval.

Approved this 30th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

JOINT RESOLUTION NO. 1**JOINT RESOLUTION****AUTHORIZING THE APPOINTMENT OF A SPECIAL TEACHER IN
HAWAIIAN HISTORY AND KINDRED SUBJECTS.**

BE IT RESOLVED by the House of Representatives and Senate of the Territory of Hawaii that the department of public instruction is hereby authorized and instructed to add to its staff of special teachers, one who shall give instruction in the Honolulu Normal School, and in such other schools as the department of public instruction may designate, in Hawaiian history, pronunciation, customs and other matters relating thereto, such as shall impart to those who are being trained to be teachers, and to pupils in general who may be given such instruction, a more intimate and correct knowledge of the Hawaiian race than they have at present.

Such instructor shall be a person of recognized ability as an Hawaiian scholar. The salary paid for such service shall be paid out of the regular teachers' salary fund, the amount thereof to be determined by the board of commissioners of public instruction.

Approved this 21st day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

J. R. No. 2. Destruction of Paid Up Warrants.

J. R. No. 3. Tax Commission.

JOINT RESOLUTION NO. 2

JOINT RESOLUTION

AUTHORIZING THE APPOINTMENT OF A JOINT COMMITTEE OF THE LEGISLATURE, WHICH COMMITTEE IS EMPOWERED TO DESTROY ALL PAID UP WARRANTS OF THE GOVERNMENT OF DATE PRIOR TO DECEMBER 31, 1912.

BE IT RESOLVED by the Senate and House of Representatives of the Territory of Hawaii that the Committee on Ways and Means of the Senate, and the Finance Committee of the House of Representatives, are hereby appointed a Joint Committee of the Legislature of the year 1915; said joint committee is hereby authorized and empowered to burn up or destroy all paid up warrants of the government which were paid on or before December 31, A. D. 1912; and all actions of said joint committee relating to the same are hereby approved by the Legislature.

Approved this 23rd day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

JOINT RESOLUTION NO. 3

JOINT RESOLUTION

REQUESTING THE GOVERNOR OF THE TERRITORY TO APPOINT A COMMISSION OF FIVE MEMBERS TO BE KNOWN AS THE TAX COMMISSION.

Be it Resolved by the Legislature of the Territory of Hawaii:

That the governor of the Territory shall, as soon as practicable after the approval of this resolution, appoint a commission of five members, who shall be experienced and competent

J. R. No. 3. Tax Commission.

persons, to be known as the Tax Commission, which commission shall thoroughly examine and investigate systems of taxation and consider their legal operation and effect, the manner of their enforcement, and general adaptability with respect to existing conditions, and consider ways and means for the revision and improvement of existing laws as they shall deem necessary or advisable. The attorney general, the surveyor, and the tax assessors shall give any required assistance to the commission. Said commissioners shall serve without compensation. The commission shall make report of their work to the governor not later than July 1, 1916, with their recommendations pertaining thereto, together with some bill or bills for the effectuation of such recommendations.

Approved this 28th day of April, A. D. 1915.

LUCIUS E. PINKHAM,
Governor of the Territory of Hawaii.

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